

Get your exclusive Guardian shopping list  
with a complete breakdown of

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## Says the man from Langendorf Bakeries, 'OPEN DATING IS USELESS. FRESH BREAD ISN'T GOOD FOR YOU ANYWAY - IT'S NOT HEALTHY.'

By Helene Lippincott

Almost everything in grocery stores—bread, bologna, cigarettes, even babyfood—is coded as to freshness—either by pull date, the last day it should be sold as fresh, or by pack date, the day the food was wrapped.

Little numbers. If you have eyes like microscopes or can read Braille, maybe you can figure them out. But once you find the numbers, you still must find the system to unscramble them and turn them into dates.

I have spent the past six weeks breaking the codes.

Daily, I entered the stores and cruised the aisles for two hours at a time with nothing but a bag of English muffins (code-dated by blue plastic twister) in my shopping cart.

I inspected everything in reach—pulled jars of coffee off the shelf to look at hieroglyphics on each label, up-ended one by one all the cottage cheese containers to read the stamped code on the bottom and rummaged through the meat bins to squint at the blue blurr on each hot dog package pull tab—the code date.

Occasionally, store detectives would hover near by, smiling patiently, while I took notes. Store clerks would grow edgy at my frequent questions, then evasive and, finally, downright hostile—and totally absorbed in their work of stocking shelves.

### The Runaround

My conversation with the clerk in the Mayfair Market on Geary Blvd. was typical of the run-around I got in checking out the codes. It was a slow Saturday morning in the vacuum-packed meat section. The clerk was stirring the meats into place—oldest in the front, newer pack-

ages carefully buried in the back.

I asked her what the numbers on the back of the package meant.

"Those are a code," she snapped. "You aren't supposed to know it."

But I thought I did. "Take 0128," I said. "Doesn't it mean that the last day this should be sold is August 12?"

"Yes," she mumbled, suddenly becoming very busy.

I picked up a package of Mayfresh luncheon loaf marked 0247. "Doesn't this mean the last day it should have been on the shelf was July 24? Today is August 1."

But she was wise in the ways of coding. "No, that's not a code. Those are just numbers. Watch it—you're messing up the meat."

Codes are complex, say store executives, to simplify stock rotation for the food clerks—to tell clerks when to remove outdated shipments. Management insists it has perfect controls now. "We don't handle stale products,"

Mayfair's regional director Rick Richardson told me indignantly.

Executives say that by keeping freshness coded, they are not being paternalistic—just practical. If the foolish housewife were allowed to know the exact variations of freshness (which are, of course, so small as to be inconsequential) she would paw through displays, leaving behind older but perfectly good food, and thus eventually increasing the cost of food to herself.

### Breaking the Code

The codes are so complex that store clerks often can't figure them out. But if you combine luck with a persistence approaching fanaticism, you can break the codes.

I doped out some myself. I stopped bread drivers in the street. A Kilpatrick bakery driver, for instance, doffed his cap and explained both Kilpatrick's color code and Wonderbread's.

I met and telephoned government officials and supermarket executives and worked my way up the chain of command. Once I explained the codes to them, the supermarket executives would reluctantly confirm them.

If the codes mean what the store executives say they do, then the stores all over the Bay area—from chains like Lucky, Mayfair and Safeway to the mom and pop stores—are selling outdated and unfresh food at fresh food prices.

I found rotting vacuum-packed

meat a regular item. A Lucky clerk at the Eddy Street store removed the moldy salami when I pointed it out, but in the Bush Street Safeway on July 15, though the clerk was only too happy to identify several packages of bologna as pull-dated June 5, he put them back on the shelf.

Milk, one of the most perishable products, is commonly sold two, three, even four days past the pull date. Cigarettes get stale, too. A Guardian survey of independent grocery stores in the Richmond district disclosed that of some 100 cartons of cigarettes, only one carton was fresh. The others averaged from four to six months old, and one carton was pull-dated February, 1969.

"It's possible to get some pretty stale stuff in the market place," says a county food inspector who asked not to be identified. "Imported anchovies can be as old as ten years. They keep the damned codes from the consumer with deliberate intent to deceive them."

A 1969 Congressional survey disclosed that poorer quality food is being sold at high prices in low income neighborhoods. But the sale of outdated food appears to be widespread, regardless of income bracket.

On July 20, I found, Safeway's classy Marina store would have sold you 10 day old "fresh" haddock fillets, just as eagerly as the small Safeway on Bush—just above the Tenderloin—would have sold you week-old

"fresh" chicken fryers on July 15.

Many markets also re-wrap and thus re-date their products. For instance, at the middle-income Lucky store on Eddy, I discovered on July 23 that Lady Lee cooked ham was streaked a yellow-pink—like a rainbow—or an oil slick.

Four packages bore a smudge and then a new stamp—013-8, meaning pull date Aug. 13. But on one package, the smudge was still legible. It was a stamp reading 017-7, meaning July 17 pull date.

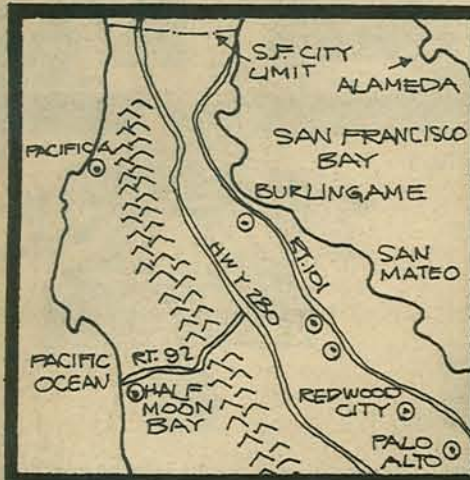
### Bad Eggs?

On July 27 in the South Van Ness Safeway, the pull date on the end of the carton of Lucerne eggs read, 8 214-1, meaning pull Aug. 2. The store clerk attempted to reassure me that the store would not be confused by the code. "I suppose on Aug. 16, we could just throw them up to the front and everyone would think they were dated 8-21 and were fresh... But we wouldn't do it."

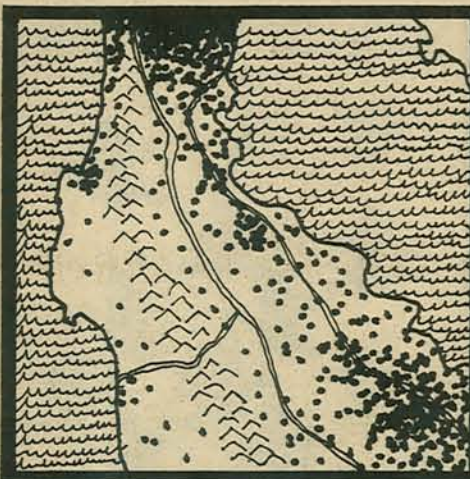
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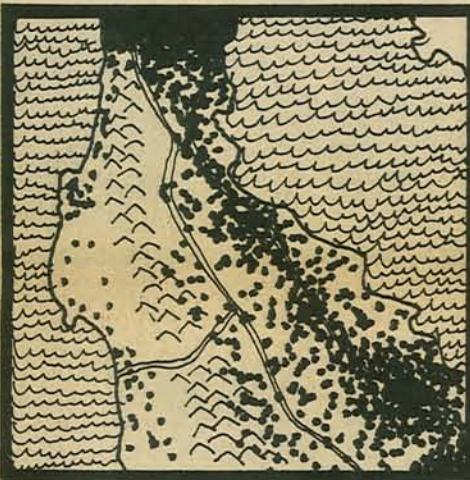
# BAYSIDE GROWTH



**1950** \* San Mateo County population 239,100



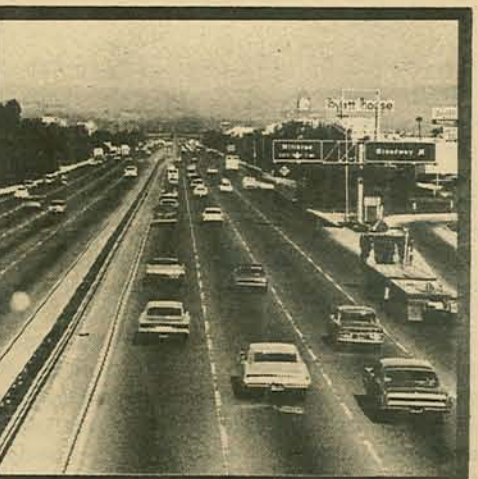
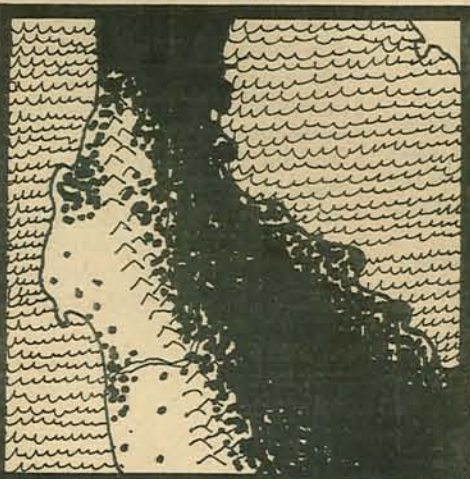
**1955** Pop. 345,100



**1960** Pop. 449,100



**1965** Pop. 511,300



**today** \*\* Pop. 558,000

\*Picture taken from the Broadway turnoff into Millbrae, looking northward toward S.F. airport turnoff and San Francisco. 1950

\*\*Taken from same place as first picture less than twenty years later. August 12, 1970.

# Another Westlake in Half Moon Bay?

By Steve Weeks

More than one third of San Mateo County's central and southern coastline of 59,400 acres is now held by active or waiting developers. In the next two years the development of the coastside will be at full force and on the same scale and velocity as Peninsula development 10 years ago.

Doelger of Westlake is gone, but in his place is the combine of Deane & Deane Westinghouse Electric Corporation, and Los Angeles engineers who together hold ready for development 8,200 acres around Half Moon Bay.

DD/W cast themselves as good guys, bustling about with master plans and sneering at bayside tracts in disgust, but The Guardian has been given some remarkable documents that show how and why they intend to develop their land.

The documents were written by David Pines as his reports to the D'Arcy Advertising Co., a prominent San Francisco advertising agency that was retained by DD/W to promote their projects. Pines, D'Arcy consultant and an architect/planner, attended two lengthy briefings with DD/W officials. Pines' major points, printed below, offer an unusual inside picture of corporate land developers at work:

**ON MARKETING:** "The means of attracting the market was the topic of the most discussion. The lot sales approach seems to be directed toward a recreation oriented second-home community. The aim is to attract all income levels, however, it was stated that, 'in order to attract people to the environment, we must go after higher income groups.'

"Various means of merchandising were discussed --these ranged from groupsales parties, the placing of "SOLD" signs on unsold lots to show that sales are good, to advertisements showing a beautiful little fishing village, or, pictures of a golf course with Arnold Palmer saying a few words.

**IMAGE:** "Whatever type of facility which will generate the most interest and excitement, 'the biggest splash,' will proceed first. There was a great deal of discussion as to whether this facility should be a yacht club--shopping center complex or a spectacular clubhouse complex.

"Whatever decision is reached, the approach is geared toward creating an "image." It was proposed that whatever is built, the process of construction would have to be slow and drawn out, 'don't proceed with building too fast, because then when it is finished, all the excitement is gone--just show the people something is happening.' It was obvious that the philosophy is about sales not the building of a viable community.

"Direct advertising possibilities were discussed and ranged from 'buying the local newspaper' to magazine spreads, or to 'going after developers' at the Pacific Coast Builders' Convention in June."

**IMPACT OF GROWTH:** "It is apparent the Deanes intend to use the proximity of Half Moon Bay to the city of San Francisco as a strong point in the selling of property. Obviously, the population is going to increase, yet there was no concern on the part of Deane & Deane to understand the impact of such growth, other than studying how much land can be turned into profit..."

"The statement was made at the meeting that 'perhaps a couple of hundred thousand people might inhabit the area in the future, who knows.' Certainly, such a myopic view raises serious questions as to the kind of consideration that will be given to providing the police, fire protection and road maintenance, to name but a few."

**FUTURE COSTS:** "Who will bear the future costs of such necessities? These questions are of direct concern to the prospective lot owner. Where will he shop, where will his children go to school and perhaps most important, what will these necessities cost him in taxes? He may not realize these hidden costs at the time he buys, but they will soon become apparent."

**PLANNING:** "If the true intention of the Deanes is to create a development of excellent caliber, they must realize that it is necessary to make intensive studies of the land. However, since the state might order a moratorium on all coastal development soon, their attitude was that they 'must get moving and get some construction going.'

"It is impossible to accept such an attitude when the consequences to the land are understood."

**DENSITY:** "I posed the question about such prospective lot owners and if they would be informed of the possibility of high and low density lots right next to each other--the question was disregarded."

**TRAFFIC:** "How does the new increase in vehicular traffic affect the neighboring houses? What happens to vistas, open space needs and residential densities? These and other situations are affected in a detrimental way by the prevailing attitude."

"A complete and competent master plan is essential. Such a development cannot be based solely on the possibilities of profit."

**'MEMBERS ONLY':** "Communities, of whatever size, exist through the piling up of people's activities...in them...An exclusive golf-course and clubhouse 'for members only' and other 'private' facilities will not even begin to serve as community focal points."

**MAXIMUM DENSITY:** "I raised a number of questions as to the appropriateness of such a plan (with 60-foot lots on a ridge.) What is the relationship of such a crowded and dense lot pattern to open space? How can riding and hiking trails be incorporated into such a closed plan?"

"Again, I met with a defensive response...the criteria or its development was to cram in the maximum number of lots possible."

"This already is inconsistent with the concern for an 'excellent job' proclaimed to be the goal of the Deanes."

## In prospect

In the undeveloped portion of San Mateo County's coast, from above Half Moon Bay to the Santa Cruz border, land speculators and development companies already own more than 20,000 acres. The combine of Deane & Deane /Westinghouse bought 8,200 acres that form a crescent around the town of Half Moon Bay from Henry Doelger, of Westlake fame.

Deane & Deane, a father-son team associated with several large southern California developments, has presented its 8,200 acre development to the Half Moon Bay city council as part of a 28,000 acre master plan which will eventually provide for 160,000 people in the Half Moon Bay area. The city's present population: less than 12,000.

Other parcels slated for development: 122 acres on the southern end of the city of Half Moon Bay owned by L.C. Smith Co.; over 1,500 acres of ocean front land owned in three contiguous parcels by Wells Fargo Trust, L.J. Debenedetti, and Wells Fargo Bank, about three miles south of Half Moon Bay; some 15 miles south of Half Moon Bay the Crummer Corp. of Beverly Hills owns 4336 acres of ocean front land; 4,319 acres of ocean front property bordering the Crummer land owned by Theodore Char, front man for Golden Sun Realtors of Hawaii. This, of course, is only the beginning.

Deane & Deane/Westinghouse recently got 700 acres of their land, three miles north of Half Moon Bay, annexed to the city. They are now preparing the land to be sold in sections that will hold 1,200 units of housing. Also: Deane & Deane/Westinghouse plan to annex the majority of their land, which is in the El Granada region, to Half Moon Bay, then ready it for commercial parcelling.



# You Can be Sure if it's Westinghouse.

L.C. Smith Co. is ready to put 1,500 units on its 122 acres in southern Half Moon Bay.

Part of the development strategy in the coastal region is to increase population sufficiently to force the building of coastal and cross-peninsula freeways, water projects and other facilities needed for the blockbuster developments. Once these facilities are in, then major development will be inevitable.

**SEE GUARDIAN MAP ON PAGE 22.**

The planned 2,700 units of housing of Deane & Deane/Westinghouse and L.C. Smith Co. is only the first step in a coastside suburban explosion.

San Mateo County's planning commission is almost synonymous with development in the county. Belmont's champion of dirt-hauling and development, former mayor Wallace Benson, rides high. Other members include Robert McCahon, a Half Moon Bay realtor, Merritt Snyder, a land developer, and Frederick Cohen, a salesman for Sequoia Mills, a Redwood City firm which sells kitchen cabinets to developers.

The fifth member, restaurateur Robert Levy of San Mateo, told the Guardian, "I know of no way, legally, to stop development. By law, we must be reasonable to developers. Telling a developer there are too many people in San Mateo County already, or that coastal development means coastal smog, or that we just don't want houses lining the coastline would be considered unreasonable in court."

In Half Moon Bay, Deane & Deane/Westinghouse is operating as the city planning commission. John Chapman, DD/W architect and planner, has prepared a regional master plan that shows what DD/W thinks is best for Half Moon Bay: 160,000 people. There's little reason to believe the town council won't agree.

Water and easy access by freeway to the industrial areas of South San Francisco and San Mateo are vital to coastal development. By 1978, according to the highway planners, state taxpayers will have built Deane & Deane/Westinghouse/L.C. Smith and other coastal developers a \$12 million, six lane coastal freeway, that connects Half Moon Bay to US 280, and San Francisco.

By the early 1980's, state taxpayers will have furnished coastal land dealers with a freeway connecting Half Moon Bay to San Mateo. It will place bayside industry 20 to 30 minutes from coastside residents. This will give new residents a source of employment, but leave them without their own industrial tax base to support their new community.

To solve the water problem for developers, the county is teaming with the federal government to build a \$58 million dollar dam. This Low Worley/Portola Dam is now under study by the Army Corps of Engineers.

The dam, under the artful maneuverings of Former County Manager E.R. Stallings, originated in the early sixties and, centered around flood control and alternate water supply for farmers in draught years. Now, it concentrates on providing water for commercial use and creating a \$21,800,000 recreation area.

Construction costs would be covered by a loan from the federal government; county taxpayers would pay back part of that loan, mainly from water sales. The water would cost \$100 per acre-foot, plus an addition \$20 to \$30 to treat it properly.

At \$120 to \$130 an acre-foot the water would be too expensive for agricultural usage, farmers presently pay about \$80 to \$90 per acre-foot.

## The farmers

For years, the coastal farmers have been forced to sell their land. In an area that once produced a major part of the nation's brussel sprouts and artichokes and still contributes heavily to the flower industry, it is now almost impossible for a farmer to make a living off his land.

In 1965, the state legislature passed a law making it mandatory for land to be taxed at its highest potential usage value. Big time developers like Henry Doelger and Deane & Deane/Westinghouse were able to pay \$2,000 to \$3,000 an acre for land, forcing the assessed land value to jump incredible.

For example: the Cascade Ranch on the southern most coastline of the county, a 4,300 acre ranch, was assessed at \$138,512.63 in 1962-63. In 1968-69, the ranch was assessed at \$656,237.80. In 1962-63, the ranch paid \$10,892.66, in 1968-69, the ranch paid \$52,051.62. It is now required that land pay 25% of its assessed value which means that the Cascade Ranch should pay \$164,059.42 in taxes in the future if its assessed value does not increase.

Hank Sciarroni, who has spent 20 years as farm adviser at the University of California Agricultural Extension in Half Moon Bay, said, "It's almost impossible for a farmer around here to turn a profit anymore. Now guys are struggling, some are holding out on multi-million dollar developers who want their land. In a few years, the farmers who are left won't be able to turn down offers of \$2,000 to \$3,000 an acre."

Sciarroni also talked about the Williamson Act, meant to protect farmers from high taxes. The act allows a farmer to put his land into agricultural preserve, which means it cannot be used for anything but agricultural purposes for 10 years. He is then taxed in relation to his income.

Sciarroni said of the Williamson Act, "It just shows how little the legislators know about what they are doing. I've lived here 20 years and know the problems. I told them it wouldn't work."

The act's major absurdity: In many coastside regions, like Pescadero, 80% of the taxes collected are spent on education. If a farmer does put his land into preserve, then the school district must increase its rate to compensate for the decrease in tax revenue.

In 1969-70, in the Cabrillo Unified School District on the coast, the assessed value dropped \$1,547,740 because of the reserves and, in the La Honda-Pescadero Unified School District, assessed value likewise decreased \$1,243,130. The actual loss to these school districts because of the assessment reductions was \$77,846 and \$71,505 respectively. A farmer who does not put his land into preserve must compensate for those farmers who do use the preserves. Thus, a farmer not in agricultural preserve can expect his taxes to jump enormously.

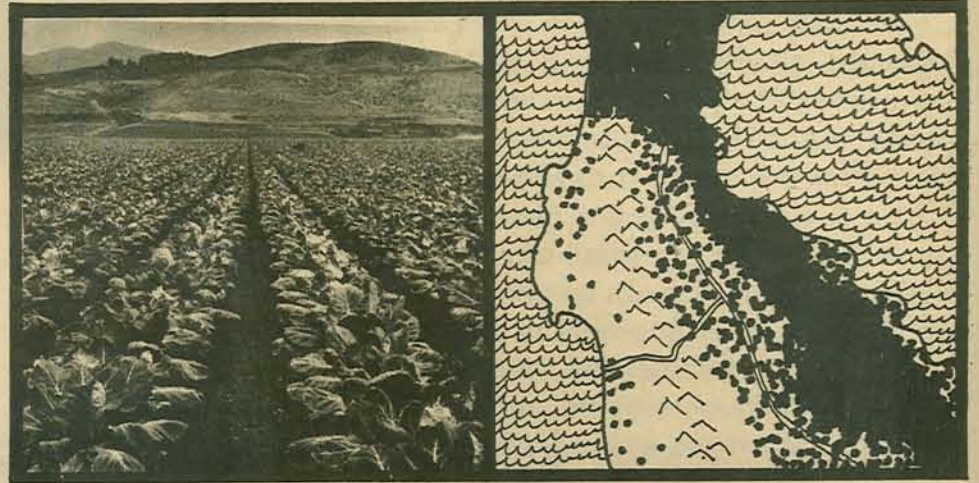
## The future — alternative

Groups like Conservation Coordinators, the Committee for Green Foothills, Stanford Environmental Law Society, LIFE and LAND are trying to stop coming development of the coast, but their efforts have, so far, only irritated coastal speculators. San Mateo County officials have refused to terminate the Pescadero Dam, establish effective land zoning or sponsor an enforceable master plan.

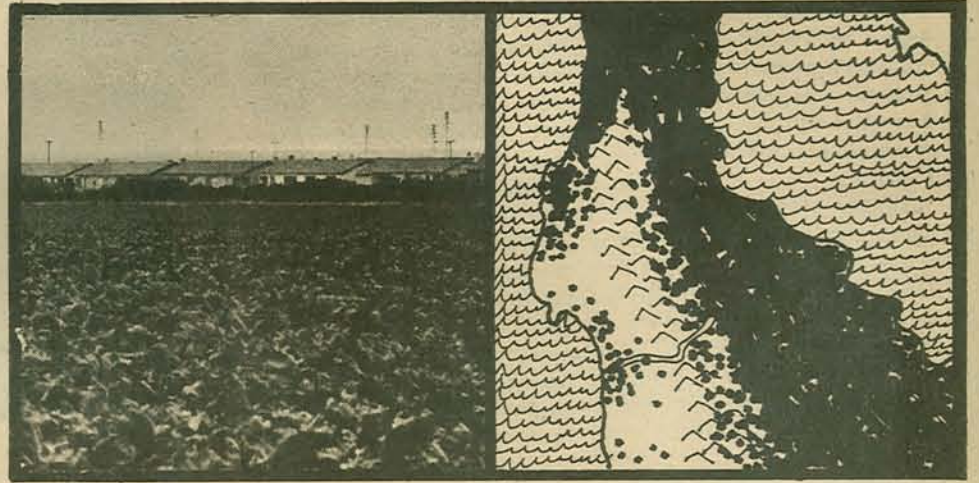
Conservation groups have backed bills in the state legislature that would establish regional open space control in the Bay Area. The bills, sponsored by Sen. Milton Marks and Assemblyman John Knox, have been buried in their respective committees.

Other bills to establish open space control over the entire California coast the CCDC, the coastal equivalent of the BCDC--would also prevent the subdivision of the San Mateo coastline, but these bills, sponsored by Assemblyman George Milias and Leo J. Ryan, have also died in committee.

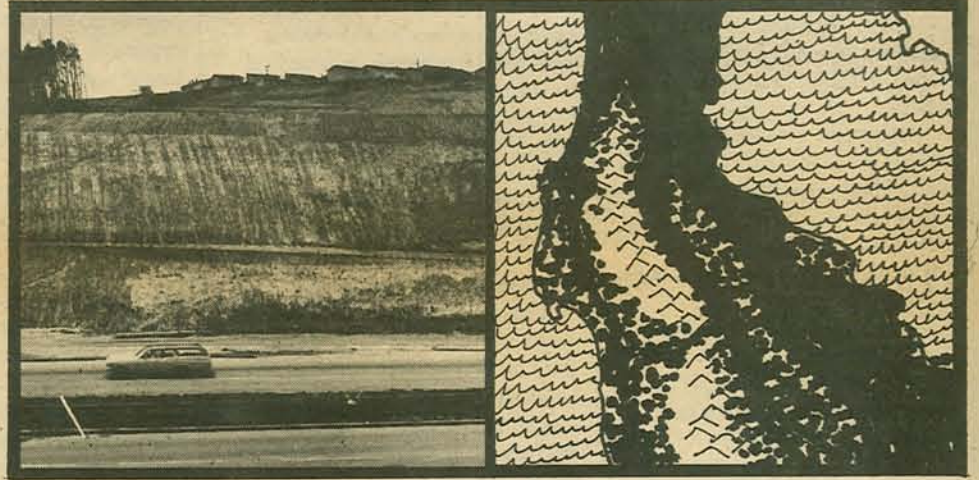
## COASTSIDE GROWTH



**1965** Coastside population 33,000



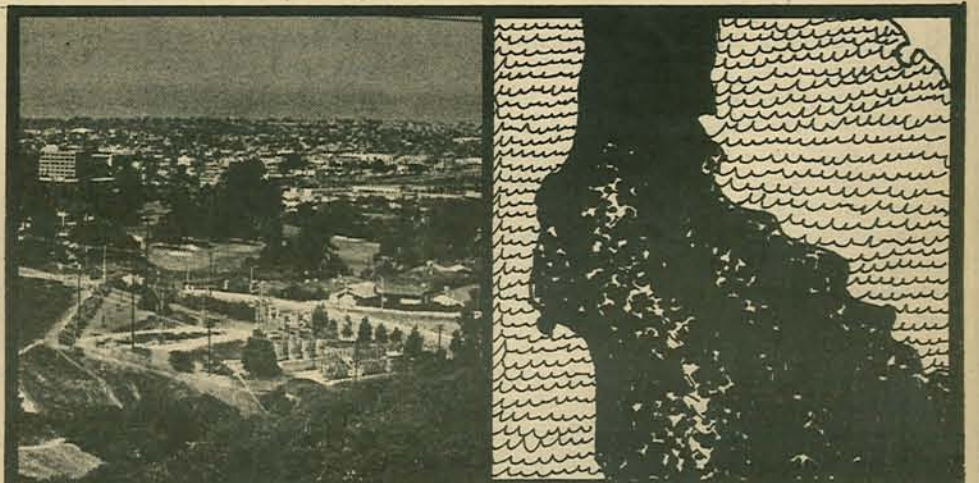
**1970** Pop. 57,000



**1975** Projected Pop. 100,000



**1980** Pop. 175,000



**1985** Pop. 235,000

Photos by Susan Landor  
Art by Michael Doyle



Cities have become untenable to live in. Community needs increase while vital services deteriorate, ghettos expand and whites evacuate, suburbs feed off the urban centers while city cores decay, industries pollute water, air and land while providing fewer jobs through advanced technology.

The Guardian offers a case history of development of a particular small city, Richmond, to show the origins and growth of general urban problems and the failure of attempts to deal with them.

This report focuses on North Richmond — although this area remains outside the city proper because attempts at incorporation, opposed by industry, have failed. In North Richmond, the common problems of cities appear magnified.

By Dale Rosen

North Richmond smells like kerosene before you light it. Wind blowing east from the Bay carries the foul, sulphurous residues of plant food, pesticide and petroleum production across the ghetto.

Children play ball or war to a background of artificial clouds and sky. Older people sit out on porches, quiet and seemingly apathetic. But they warn inquisitive, white strangers, 'don't mess with us.'

In the pitted, poorly banked streets rain pools invariably become oil slicks. Children can't avoid the slime. Wrecks in tow bounce across the dips in the road on their way to the Gertrude Avenue auto-graveyards. Wrecks, trucks, caddies, chevies scrape bottom, screech and spring up like fat birds along every perilous, trenchlined street.

Richmond city center is an urban equivalent to farmed out land. Huge desolate lots, empty storefronts, boarded and barred windows, fading colored advertisements from the fifties, indicate an exodus.

Speculators who developed Richmond at the turn of the century had expected the town to boom. While it grew steadily, topping 20,000 by 1930, the boom came later than anticipated and was not entirely welcome. In December, 1940, the federal government awarded construction of thirty 9,000-ton freighters to the city's shipyards. At their peaks, from 1941-43, four new shipyards employed 115,000 workers.

### Southern society

War production imported southern society to Richmond. Kaiser, which owned the yards, recruited nearly half the new workers, black and white, from Oklahoma, Arkansas and Texas. Richmond's population increased 430 per cent; its black population soared from 270 to 13,780, a gain of more than 5,000 per cent.

Whites and blacks contended for limited decent housing, recreation facilities and even seats on buses. Many merchants and realtors who cleaned up from the boom refused to sell to blacks. Unions either refused to admit blacks or relegated them to locals with non-voting status.

Since the boom depended on the war, it could not last. When war production ceased, blacks became "excess baggage." Social tensions, submerged in the unity imposed by full employment and war patriotism, exploded.

Richmond's city government could not meet the new tasks. Its outlook had been molded by 50 years of granting industrial prerogatives, and it displayed

constant insensitivity to new social imperatives.

Richmond, on the northeast shoreline of San Francisco Bay, had been the western terminal of Manifest Destiny. In 1899, land developer Augustin S. MacDonald persuaded officials of the Santa Fe Railroad to end their line in Richmond.

MacDonald capitalized on the town's bright future. With the financial backing of two Santa Fe officials and two oil developers, he bought Barrett Ranch, two miles east of the original settlement at Point Richmond, and subdivided the land into 5,000 business and residential lots.

Attracted by Richmond's great potential as a deep water harbor, Pacific Oil, which soon became part of Standard Oil, built a refinery at the Point. The refinery began production in July, 1902, was receiving oil through a new pipeline from Bakersfield by 1903, within a year became the world's largest refinery. To ship its oil, the company built two wharfs and established a headquarters for its fleet in Richmond.

Other companies followed Santa Fe and Standard. In 1906, the California Wine Association built the world's largest wine and storage plant in Richmond. Pullman Car Company came in 1909. Before the depression, two more major companies had located in Richmond—Ford Motor and Filice and Perrilli Canning.

Richmond maintained remarkable continuity: Eighty-five per cent of its homes had been built before 1939; 71 per cent before 1920. Similarly, the city's political life hardly changed. By 1940, its city manager had served for 20 years, its school superintendent for 39, its city clerk and treasurer each for 27, its city attorney for 14 and its Commissioner of Health for 30.

These long incumbencies in city government paralleled Richmond's unofficial power structure. W.B. Trull served as Santa Fe's Richmond agent from its beginnings until 1937 and subsequently became president of the First National Bank of Richmond. Fred D. Parr headed the municipal harbor since 1926 and was largely responsible for bringing Ford and later the shipyards to Richmond.

But Standard Oil dominated the city. It was the largest single taxpayer and employed more than half the residents who worked in manufacturing; of Richmond's 18 mayors from 1905 to 1940, four were Standard employees.

World War II abruptly ended Richmond's quiet life. Property values rose 300-400 per cent—nearly equaling the rate of population increase. The Richmond

Independent increased its circulation from 6,000 to 35,000 daily. The two pre-war theatres had eight competitors by 1944.

"The Richmond jail was originally built to hold thirteen prisoners," a post-war pamphlet reported. "Now a pay night found not 13, but over 113 drunken whites and hot-headed Southern negroes fighting it out in the 'jug.'"

Housing was as crowded as the jail. Blacks were forced to live in segregated projects, temporary Housing Authority structures known as the "shanty town" of North Richmond.

More prosperous blacks bought private lots in North Richmond. One woman whose family moved from Texas in the early war years recalls that her father bought three lots, at \$75 each, and built houses on them "when he had money to spare for lumber" to accommodate his growing family.

By 1943, 60 percent of Richmond's population lived in the hurriedly constructed projects. The figure dropped to 50 per cent by 1950; even then, 78 per cent of Richmond's blacks remained in these temporaries.

### Negro removal

After the war, the city's housing plans seemed geared to one object: Negro removal.

In 1945, a Chamber of Commerce map replaced the small, black houses of North Richmond with large buildings—presumably factories or a large residential subdivision. The 1950 Planning Commission's report on housing and redevelopment took issue with an earlier zoning ordinance which slated North Richmond for multiple family dwellings: "In the blighted area of North Richmond...no effort should be made to establish public housing until it becomes clearly evident that no demand will appear for industrial sites in this section that may be of paramount importance to the industrial life of the City of Richmond."

Finally, the 1955 master Plan designated North Richmond for eventual industrial use.



photos: Ted Rosengarten

The city planned to clear temporary war housing through a "tenant relocation program." The program would transfer tenants from selected small areas in the housing projects to other projects, clear the vacated land, rebuild modern dwellings, move tenants from other units into the new buildings and start the process again.

But Housing Authority tactics belied this "humane" plan. Tenants in the first two projects slated for clearance (a total of 2,688 units) were notified, not through personal letters, but in a public announcement in the Independent.

Further, they were not told the Redevelopment Agency was legally obliged to relocate tenants. Black families were shunted into the most undesirable housing, along State St. and Fall Ave., slated for early demolition.

Many black families, after being shifted from one temporary project to another, were finally settled in the new Parcheston Village, a "racially unrestricted" tract in a segregated housing island surrounded on three sides by property zoned for heavy industry and cramped between two railroad lines.

The Planning Commission has recommended the area for industrial zoning when the "useful lifetime" of the present dwellings ends in the early 1980's.

Outside the black ghetto, almost all private housing was restricted to whites. The Board of Realtors remained lily white until 1966 when William Martin broke the color barrier by threatening court action.

The ghetto pattern intensified in the 1960's. A special census in September, 1966, found a pronounced movement out of the central city "essentially a white exodus" spurred by "the fear that neighborhoods or schools will have (or already have had) a heavy influx of Negroes...The continuing racial and economic barriers against Negro migration to the outlying areas have largely limited them to the central part of the city. This is reflected in the population increases in the southside

and the high percentage of Negro buyers of new homes in redevelopment areas."

Between 1960 and 1966, the black proportion of Richmond's population jumped from 20 to 30 per cent. White Richmonders who once hoped for a return to the white, pre-war status quo have given up the battle and fled.

Richmond, though heavily industrialized, suffers from chronic, high unemployment. When the shipyards closed after the war, tens of thousands of Richmond residents lost jobs. For many black men, who just arrived from the south, those jobs were the last steady employment they had.

### Welfare generation

"My family was better off because my father worked for Ford and was kept on," remarked one woman, now a social worker. But for many, she said, the post-war layoffs began a vicious circle: generations of people on welfare. Unemployment climbed from a mere 1.3% in 1943 to 13% in 1950.

A 1954 Dept. of Employment survey showed only 30 per cent of Richmond's employers hired on the basis of merit alone. Another 30 per cent hired no blacks at all, an estimated 40 per cent hired blacks only for certain jobs and without equal promotions. As late as 1965, Standard Oil, the city's largest employer, had only 49 black employees out of a total of 3,000 workers.

Unemployment eased in the 60's, dropping to an overall 9.3 per cent—7.7 per cent for whites, 17 per cent for blacks. But the rate was still nearly double national figures and black unemployment was three times white. Reliable sources at the Richmond Service Center put the current unemployment figure for blacks at 30 per cent.

One employment counselor claims she has stopped looking for openings in Richmond: "There simply are none." She sends clients out of town or county for job interviews.

Those blacks who have jobs work at lower paying jobs at the bottom of the occupational scale. 1965 figures showed: Among Richmonders with a 12th grade education, one out of eight whites had an unskilled job compared to one out of three blacks. Among Richmond's college graduates, two out of three whites had professional jobs compared to one out of four blacks.

Further, two per cent of Richmond's white college graduates worked at unskilled labor compared to 15 per cent of the black college graduates.

Job discrimination shows up in income statistics. According to the 1960 census, almost a third of Richmond's non-white families, compared to a seventh of white families, earned under \$4,000 per year.

A report on industry job training programs, initiated by Standard Oil and the Job Upgrading Project (JUP) at Neighborhood House, found the local programs "very small and very

**'North Richmond smells like kerosene before you light it.'**



# portrait of an old-fashioned company town

timid (so much so that they are rejected by militant Negro leaders as 'tokenism')."

## The 'Black' riot

JUP had been a direct response to Richmond's black "riot" of 1966. Fearing another "Watts," the Council of Richmond Industries alerted the industrial community "to the necessity for employment programs designed to relieve tensions and prevent a full-scale riot situation."

Only one other member industry, Santa Fe, attempted a similar "temporary beautification project," involving one 10-man crew.

Joseph King, head of Ortho Products, concluded that "the city must assume responsibility for work-training programs since industry can't afford them." Another Standard training program for service station attendants, initiated in 1965, has fast become obsolete: "This job," the report remarks, "once seen as the unattainable goal, is now considered by the JUP clients to be beneath them."

"Operation Outreach," initiated by Standard after the 1966 "disturbances," has suffered a high mortality rate. By September, 1967, only 17 men of the original 30 were still working. To date, the program claims to have hired and trained 25 "hard core disadvantaged," with an additional 100 currently enrolled.

Besides pure altruism and the fear of increased ghetto violence, Standard Oil admits "some pretty selfish reasons" for hiring blacks: government contracts, bringing Standard around \$85 million annually, are contingent on employing minorities. Besides JUP and Operation Outreach, Standard participates in a National Alliance of Businessmen program and a city-sponsored Concentrated Employment Program.

Construction in Richmond dropped from \$16.4 million in 1968 to \$11,606,927 in 1969. Defense cutbacks have created massive layoffs in Vallejo and other Contra Costa towns, cutting the job market for Richmond workers.

Although Richmond is still highly industrial (the Chamber of Commerce lists a total of 190 industries), some local

firms are expanding elsewhere. When Ford outgrew its facilities in 1956, it relocated in Milpitas.

The massive influx of families during the war left Richmond's schools disasterously overcrowded and understaffed. While post-war building programs alleviated overcrowding somewhat, they did not affect de facto segregation which persists to this day.

In 1955, blacks demonstrated opposition to segregation in the overwhelming North Richmond vote against a new "neighborhood" elementary school. The issue of school boundaries, raised in the late 50's and again in 1965, mobilized both black and white communities.

In response to recommendations by a Citizens Advisory Committee in March, 1966, for "open enrollment" and limited busing, white Richmonders organized a Citizens Committee for Neighborhood Schools. By early April, they had collected some 10,000 signatures in support of Neighborhood (i.e. segregated) schools.

Opposition to integration intensified. A desegregation suit, initiated by the Contra Costa Legal Services Foundation in the summer and fall of 1968 again mobilized anti-busing forces. The school board declined to contest the suit and the legal phase of the controversy ended in January, 1969.

But United School Parents (USP), absorbing the membership and machinery of the Citizens Committee for Neighborhood Schools, the Save Our Schools Committee and various ad hoc groups that had sprung up in reaction to the suit, mounted an effective, grassroots campaign to stymie court action.

USP sponsored three candidates for the impending April school board election. Neighborhood school forces raised \$19,000 in campaign funds--getting their largest contributions from prominent figures in the local power structure: \$1,500 from William Bottoms; \$500 from Edward M. Downer, Jr., chairman of the board of the Richmond-based Mechanics Bank; \$500 from Harry Holbrook, a former business partner of Bottoms. The Western Contra Costa County Board of Realtors sponsored a fund-raising dance

and contributed \$1,200. The Independent wholeheartedly endorsed the USP candidates.

## USP wins

The campaign, morally and financially supported by Richmond's most powerful men, turned out more than 70 per cent of the white, north end electorate. Traditionally white, liberal areas equivocated: Kensington split 50-50 and Point Richmond gave the black candidate and his running mates only 44 per cent of the vote. Despite a substantial turnout in black precincts, the pro-integrationists averaged only 13,000 votes each, to the USP candidates' 32,000.

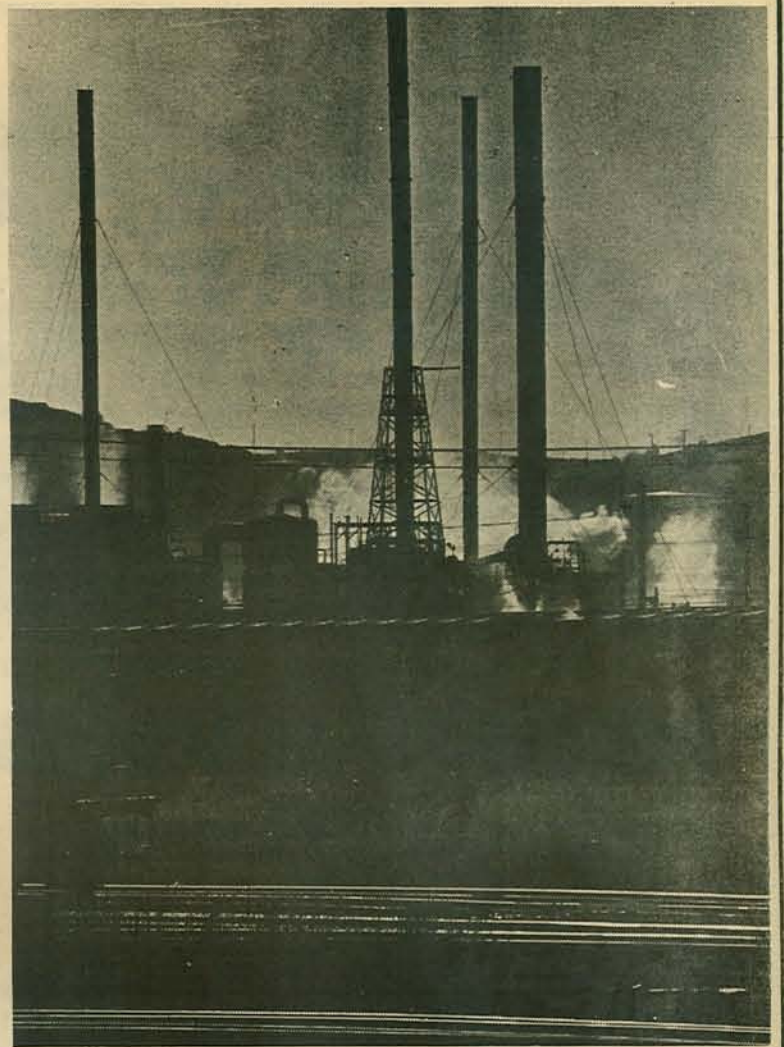
The new board has successfully stalemated the desegregation suit. Additional court action, again initiated by Legal Services, was postponed last summer to give the board an opportunity to prove its "open enrollment" plan (yet it involves fewer than 1,000 of the districts 10,000 black public school children). A third suit, filed in May, promises only more delays.

The war boom overloaded not only schools and housing, but parks and recreational facilities. The city recognized this as early as 1940, and official reports repeated the same conclusions and recommendations ad infinitum--in 1944, 1948, 1954, 1957, 1964. Each report stressed particularly severe shortages of recreation space in black neighborhoods. What forces subverted these laboriously prepared and well-intentioned proposals?

Pre-war development doomed attempts to change. Business interest had received priority over the public. Early realty speculation made ownership of lots difficult to trace. Land developers, not bound to reserve open spaces for parks and playgrounds, left little public recreational acreage before the boom. Realtors sold tiny 25 by 100 foot lots, encouraging overcrowding, blight and planning problems.

## A few trees

The city itself planted few trees, paved only the center strip of streets, and left many areas without sidewalks, curbs or gutters. Conservative city fathers issued only minimal



bonds for long-range development of public services and facilities.

Private industry provided luxurious recreation facilities for its employees, but none for surrounding communities. Standard Oil's Rod and Gun Club, established in 1913, encompassed 244 acres by 1958, including a gym, club house, swimming pools, picnic areas, softball fields, children's play area and a rifle and pistol range. Yet its North Richmond neighbors were forbidden even access to the bayshore. Further, until three years ago, only 65 feet of Richmond's 33 mile waterfront offered public access.

Another example of industry advantage: Richmond's 1963 General Plan, approved by the Planning Commission, called for a park on scenic Point Pinole. A year later, when Contra Costa citizens voted to annex the county to the East Bay Regional Park District, the point was designated for development as a waterfront park.

But the Richmond City Council withdrew the designation that same year after Bethlehem Steel bought the property. "Forward '64" brochures were circulated with a patch over Point Pinole.

Several months later, the Park and Recreation Commission and the Planning Commission recommended the park site be returned to the General Plan. The City Council rejected the recommendation, citing its "commitment" to the giant steel producer.

Pro-industry politics rarely yielded expected jobs and tax income. For example, the harbor and its facilities, leased by the city to the late Fred Parr in 1926, netted over \$2.5 million in its first 22 years of operation. But the city had to pay for improvements, depreciation, maintenance and repair, interest on bonds, cost of insurance, etc.

Result: Parr-Richmond Terminals showed a net gain of over \$2 million between 1926 and 1948; the city a net loss of over \$2.6 million for the same period.

## Highway robbery

Even more striking, Standard Oil got away with highway robbery on its tax bill for its

first 60-odd years in Richmond. Until 1966, when the county assessor took over the city's industrial assessment function, Standard virtually wrote its own bill. The switch in assessment procedures revealed the city's loss: Standard's city taxes jumped from \$1,612,676 in 1966 to \$2,322,574 in 1967.

## Industry privilege

Besides these losses in dollars and cents, industry privilege has had disastrous consequences on Richmond's land, air and water. To this day, the city has no industrial grading ordinance to prevent the leveling of its hills by quarry and gravel merchants. Disproportionate amounts of land have been committed to industry, as shown by a 1965 graph of metropolitan land use in Richmond and other heavily industrialized cities: Detroit, 9.3 per cent industrial; Los Angeles, 12.0 per cent; Chicago, 13.4 per cent; New York, 6.18 per cent; RICHMOND, 41 per cent.

The Bay Area Pollution Control Board reports Standard 95 Richmond's leading source of air pollution. The Board noted 21 violations in 1968, 35 in 1969. The Water Quality Control Board recently listed Standard as the 33rd biggest polluter in its jurisdiction.

Officially, the city has responded to social problems with Human Relations Commissions, police-community aids, more and better equipped policemen. The county and federal government support a vast welfare establishment, Redevelopment and Model Cities programs.

All this has kept Richmond cool. Apart from relatively minor "disturbances" in 1966 and 1968, the city has been spared a Watts, Detroit or Newark-style conflagration.

But none of this has much lessened the daily violence suffered by the people of Richmond's ghetto. Their industrial environment exacts an enormous physical toll. And the people seem terribly depressed, suspicious, helpless. This depression is an ideological victory for pacification. For the people of Richmond's ghetto accept both the oil-heavy air and their political impotence as inevitable.







M.C. Escher prints courtesy Vorpall Gallery

## MIDDLE-CLASS ECOLOGY: The Rend in the Curtain

By Robert Jones

The malaise of ecology has begun. The original little old lady was probably a conservationist, sweeping down on planning boards from her trellised home in Woodside, stamping her tennis shoe and demanding the bulldozers stop, or else.

Or else what? Well, the implication was, if the bulldozers don't stop, the ticky tack will leak into Woodside, or Portola Valley or whatever. Build a freeway and soon Woodside would be subdivided, laced with liquor stores, decorated with Howard Johnsons and Union 76. All of this, the frantic imprecations and prophesying of doom, was performed in a social vacuum: ecology transcended social ills; a five-acre minimum in Woodside had no effect on the poor or the black.

Or did it? Ecology never shook the little old lady syndrome and possibly the movement will revert to their leadership once again. By default. The people who could have helped ecology the most have deserted the cause, or never joined in the first place.

The people who could have helped the most are the poor, the black, the brown and the students. There is mounting evidence that as conservation grew into a movement, as it changed locations from the wilderness to the cities, the greatest need was to establish a constituency among the people who live in those cities.

The constituency was needed not only for the votes, although that was probably the most important, but because the poor these days have considerable power not only to support but to also oppose the grand designs of planning commissions and redevelopment agencies.

In San Francisco, redevelopment has been stopped by the poor and their EOC attorneys. Justin Herman's Yerba Buena has not moved for months, standing still under a court injunction initiated by a class suit that alleged discrimination against the poor. Crocker Citizens Bank, tired of waiting, pulled out of the project with its \$10 million building, and others may follow.

Some of the city's most important environmental planners are scared. Lawrence Halprin, landscape architect who is headquartered in San Francisco but has projects throughout the world, recently hired Sup.

Robert Mendelsohn to smooth the way with minority groups in projects outside of San Francisco.

Halprin has been in business for many years and it is significant that only now did he feel the need for an expensive and politically attuned flak to handle the poor.

But most conservationists do not have Halprin's sophistication. They stand behind a conservation program no matter who sponsors it, no matter who the program offends, no matter what the social cost.

In the spring, Gov. Reagan proposed mandatory birth control for welfare mothers. The Governor felt he was putting the skids to a conspiracy of the poor: "Young girls," he said, "who are anxious to escape parental control can, by becoming pregnant, qualify for state support."

The racial insult in such a program is enormous; coercive birth control not only implies racial inequity, it presents a real or imagined threat to the growing black constituency in the cities. Soon in Oakland, for instance, there will be a black majority. Black leaders see coercive birth control as nothing other than a desperate effort to slow their coming electoral power.

Whether their fears are correct is not the point. Black leaders believe the white politicians are after their reproductive capacity--grabbing them by the balls, so to speak--and no white conservation organizations have acted in their behalf or offered alterna-

tive birth control schemes.

Can it be that down deep, in their heart of hearts, most conservationists secretly agree with Gov. Reagan? Sitting in their living rooms in Pacific Heights or Mill Valley, do they feel some vague notion that the blacks, not themselves, are the ones reproducing like crazy, spreading a miasma of human flesh out from the Fillmore, consuming all of our natural resources and eating their way toward the suburbs? Can it be that the liberal 1970-style ecologist is nothing but a little old lady in disguise?

The poor, surely, will not be surprised by all this. Getting soaked by the government is part of being poor. But conservationists are a moral lot, given more to righteous indignation than public confession, and only rarely do they ask such questions as Albert Lepawsky did at a Sierra Club Wilderness Conference: "Why should we assume that, in the struggle for appropriations and legislation, they will vote for our favorite conceptions of parks and primitive areas and seashores, instead of for their own more essential preferences and priorities? We should, therefore, search dili-

gently for common ground. We must look for our natural allies among more of the common citizenry." The we in Lepawsky's speech refers to conservationists and the they refers to the poor.

"The poor have stayed away because the poor are getting screwed," Martin Krieger of Berkeley's College of Environmental Design said in an interview. Krieger recently finished a study of the benefits that have accrued to the rich, the middle class and the poor from the federal government's conservation programs.

First, Krieger totaled the expenditures for each federal conservation program. The National Park Service, for instance, spent \$140 million. Next, he took three hypothetical families--one rich, one middle class, one poor--and calculated the average time each would spend using that particular program.

In the case of the National Parks, he found the poor used the parks only half as often as the middle class, and only one-fifth as often as a rich family. Finally, he translated the user time into money: if a poor family used a national park only half as often as a middle class family, then their financial benefit would be only half as large.

A few of the federal programs Krieger studied are listed below along with their distributive affects:

PROGRAM	Total Monies Spent (Millions)	Poor	Middle	Rich
Urban Renewal	499	110	225	164
Open Space	60	14	27	19
National Parks	140	31	62	47
Bureau of Land Management	83	19	37	27
Forest Service	495	113	225	157

The figures themselves are discouraging but become more so when Krieger explains that the number of people listed under "rich" amount to only 10 per cent of the population. The "poor" amount to 40 per cent and the benefits must be distributed among four times as many people. If all the benefits are divided and added together, Krieger found that a poor family received about \$60 in benefits during the year. A middle class family received \$90, a rich family \$240.

The Bay area has spent \$2 billion and will spend more, much more, for a rapid transit system to service not the poor, but the upper middle class.

BART will be almost useless for inner city travel because of its high costs (for short trips) and the lack of stations inside the city.

However, the system is ideal to haul white commuters to the city in the morning and back at night. For a Walnut Creeker, BART will be fast and cheap. The 30-mile, cross-bay trip to work will cost about \$1 and take less than an hour. But the residents of the Fillmore, Hunter's Point, Potrero Hill or the south of Market area will not use BART because BART will not be there.

The systematic bias of conservation programs extends, in more subtle ways, even to open space. Dr. Ira Michael Heyman, professor of conservation law at Berkeley and an advisor to the ABAG open space program, is pessimistic: "how long can we fool ourselves? If you drive north on the Nimitz freeway toward Oakland, you know what

you see? Everyone going north to work, toward the city, is white.

"Everyone going south is black. South to the suburbs because that's where the labor jobs are. Now, what happens when we conservationists enforce an open space program like the ABAG (Association of Bay Area Governments) plan that will effectively cut off industrial expansion in the suburbs? What is the social cost, to the blacks and other poor people, of keeping Napa Valley growing grapes?"

"Now, I want those vineyards to stay there as much as any conservationist, but their continued existence won't cost me my job."

Other programs have different, but equally destructive effects for the poor, the black, the ill-housed and the ill-fed: the city's new water pollution control program, for instance, will eventually spend almost \$400 million to improve San Francisco's sewer system.

The money could be used to a dual purpose--to correct problems of the environment AND social inequity. While fixing our sewers, we could simultaneously have a mammoth job training and employment program.

In a recent study by The Public Interest Magazine, just such a hypothetical case was explored. The authors concluded that "the homely needs of sewers offer many advantages" besides environmental control. Up to one-fourth of a total sewer contract may go to wages, they found, almost half for unskilled labor. In San Francisco, then, almost \$50 million could be used as wages for the unemployed and unskilled.

Yet, the city's poor will see none of this: the money will be single purpose. It will fix the sewers and feed the budget of large, established contractors and their largely white unions. Although both the city and the federal government have minority employment agencies that have jurisdiction over the sewer contracts, their effect is minimal on minority hiring.

Richard Kelly, federal contract compliance officer for San Francisco, told me, "the name of the game is numbers. Quotas. But we can't play the game because quotas are illegal. I wish we could say, give us 20% blacks or no contract. But we can't."

Profits from the sewer contracts, whether through capital or labor, will retire to the suburbs when the job is finished and the core city will have watched \$400 million float past unobstructed, as quickly and cleanly as the new sewers float excrement to the Bay.

Dr. Heyman concludes: "Most all of the conservation ideas you hear about will raise the cost of one necessity or another, and those cost increases are the ones that hurt the poor the most."

"Do you know that if you raise the price of public transportation by a dime, to pay for improvements, say, then you have increased the cost of living of a \$5,000 a year worker by 1%? With just that dime? Well, what happens when we raise the cost of a car by \$200 to pay for ecological disposal, or the cost of some foods by a nickel or the cost of soap by a dime?"

"If there are no other proposals for defraying this cost--and I haven't heard any sane ones--then we will have kicked the poor again."

And so it goes. In the last two years, there has always been this hesitation in the environmental revolution, this need to apologize and explain, this feeling, very slight and almost invisible, that there was a dog-robbler in the closet, due to appear but never, hopefully, quite yet.

In the past conservation has been politically lucky, incredibly so, not because its intents were pure but because the stakes were small. Ravishing conservation yielded no prize. Now, suddenly, the stakes are large indeed. Heyman says, "when blacks ask me about these things, I can't reassure them. I can only tell them, don't try to stop conservation. You'll only hurt us both. But, by God, name your price."

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# KRON

## Hearings as reported by SuperChron

By Stephen R. Barnett

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The questions in the headline will be raised again this fall, as they were last spring, in a hearing conducted by the Federal Communications Commission into the license renewal for television station KRON-TV (channel 4), now held by the Chronicle Publishing Company.

The hearing reconvenes Sept. 15 in San Francisco to consider an issue that was put aside last spring.

This is the conduct of the Chronicle in hiring private detectives, through its San Francisco law firm of Cooper, White & Cooper, to probe the private lives of the two former Chronicle employees, Al Kihn and Blanche Streeter, whose complaints to the FCC prompted the license-renewal hearing. (See "The Dicks from SuperChron," May 22, 1969, Guardian.) The Chronicle admits the use of detectives but had appealed against including this issue in the hearing. It lost the appeal and in May the FCC ordered the resumption of the hearing--as anyone knows who found and deciphered the three-paragraph story on page 54 of the May 27 Chronicle.

### Caring less

Those in command of the dominant San Francisco media--the Hearst and de Young heirs who control the Chronicle, the Examiner and KRON-TV and radio--take the position that the public here could care less about the control and performance of its newspapers and broadcast stations.

This was formally stated at the KRON hearing last spring by Robert L. Heald, chief hearing attorney for the Chronicle. Pointing one day to the nearly empty hearing room in the old Post Office Building at Seventh and Mission, Heald asserted that there was little "reader interest" in the hearing among the San Francisco public. Said he: "I suggest you need to look only at the audience in this case to determine how newsworthy it is."

The position taken by Heald (who lives in Washington, D.C.) on the Chronicle's behalf was faithfully echoed throughout the hearing by the two daily organs of the city's monopoly press, the Chronicle and the Examiner.

Both papers ran daily stories and gave gobs of space to the hearing, as if to make up for their previous blackout of the KRON affair (and their continuing blackout of other stories concerning the local media monopoly). But both seemed more interested in counting spectators in the hearing room and detailing the legal wrangling than in the real news value of what was going on. Both did their best to convince their readers that it really wasn't news after all.

The way they reported it, it wasn't. The hearing reported by Charles Raudebaugh in the Chronicle and Lynn Ludlow in

The hearings resume Sept. 15 in San Francisco.  
Is the public here interested in its daily newspaper and television stations?

Does it care whether they suppress the news?  
Is it concerned about their monopoly control?  
Superchron lawyers - and its reporters - say no.

the Examiner last spring was not the hearing that actually took place, but the hearing as the Chronicle-Examiner combine wanted it to be.

The hearing ran for 32 days in March and April and produced a transcript running 6,396 pages. I have read them all.

As I read the transcript for each day's session and then compared the newspaper stories, I was sometimes hard put to realize it was the same event. The newspaper stories were designed to make the hearing as uninteresting and incomprehensible as possible. For the tenacious reader who followed it anyway, they were also designed to make it as favorable as possible to Chronicle interests.

### O'Flaherty abstains

As the hearing reconvenes on Sept. 15, San Franciscans can follow the next episode in monopoly journalism at work. Apart from what the papers decide to print, the hearing can be expected to produce more feats of abstinence by the Chronicle/Examiner stable of columnists.

Thirty-two days of hearings went by without a word from Herb Caen, Charles McCabe, Art Hoppe, Ralph Gleason, Dick Nolan, Guy Wright and the rest. And the two television columnists, Terence O'Flaherty for the Chronicle and his Examiner "competitor," Dwight Newton, can point to 18 months of unblemished silence on the KRON case, the biggest story on their beat.

The hearings began Mar. 17 on a note of consummate symbolism. With the permission of Hearing Examiner Chester F. Naumowicz, Jr., the five local television stations (including KRON) had brought their cameras into the hearing room to provide live coverage of the proceedings.

As the hearing began, however, the first thing Heald did on KRON's behalf was "to object to having television cameras in the hearing room during the course of the proceeding." Fortunately for the public, Heald's motion was denied and the cameras stayed. It was, as Broadcasting Magazine later put it, "a breakthrough in news coverage."

But it was over KRON's protest. The incident was itself a nice illustration of one of the things the hearing was about: efforts by KRON to suppress news coverage embarrassing to its owners.

KRON's attempt to suppress the television coverage was the lead item in reports on the hearing carried that night by at least two local television stations--but not KRON. It was even the lead on Ludlow's story in the early edition of the Examiner.

### Bad or abysmal

In Raudebaugh's Chronicle story the next morning, however, the point was buried at the very end, in paragraphs 36 through 38.

(This pattern of better Examiner than Chronicle coverage continued, generally, through-

out the hearing. But it was the difference between bad and abysmal.)

The Chronicle's first day story set the tone for the coverage in other ways as well. Al Kihn, former KRON cameraman, had been on the stand all day March 17 testifying to the incidents of alleged news-slanting that were the main issues in the hearing.

Principally, these were charges that KRON's management had forbidden its news staff in September, 1965, to report the impending merger between the Chronicle and the Examiner until the publishers made their official announcement; that in reporting the 1968 newspaper strike the KRON news staff was forbidden to use the words "merger" or "monopoly," that KRON gave extraordinary coverage to an amateur show called the "Chicken's Ball" in San Carlos and to the dedication of a library in South San Francisco in an effort to obtain cable-television franchises in those towns; that the station produced a documentary on Vallejo, and ordered the writer to keep it complimentary, for the same reason; and that the station, under orders from its management, regularly withheld or slanted news coverage of strikes or threatened strikes involving broadcast stations or newspapers in San Francisco.

Raudebaugh's story on March 18 reported some charges Kihn made the previous day, but omitted others. One thing it omitted--which neither the Chronicle nor the Examiner

ever reported--was one of the most damning pieces of evidence in the case, since it was a document and could not readily be denied.

It was a memorandum dated Feb. 6, 1967, from the KRON news director concerning the assignment to film the library dedication in South San Francisco, at a time when the Chronicle was strenuously competing for the CATV franchise there.

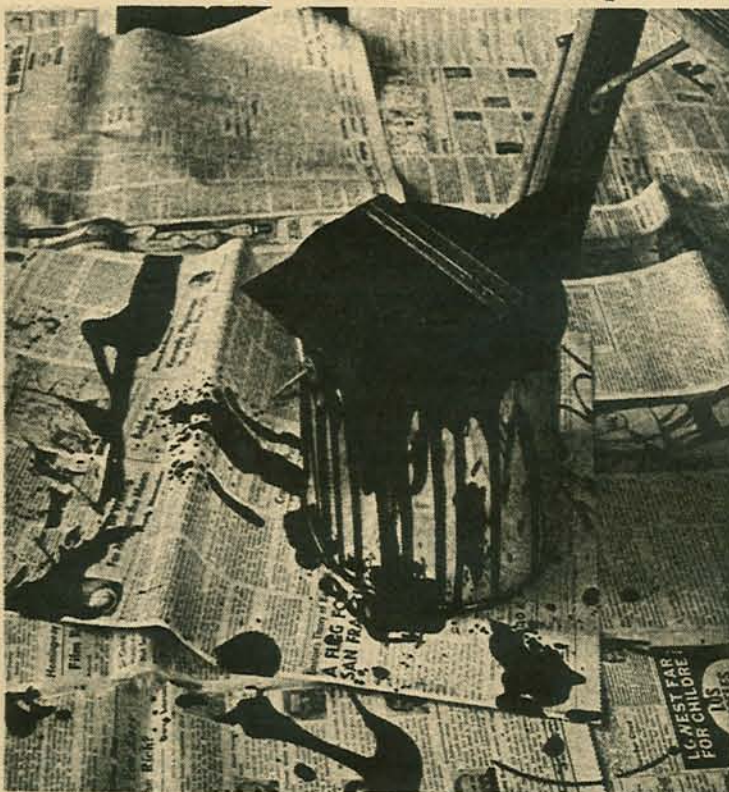
The memo was labeled "H. P.S.--Must Go," meaning that coverage of the story was mandatory and that it had been ordered, not by someone in the news department, but by Harold P. See, president of KRON and of the Chronicle's CATV operations. The memo stated: "H.P.S. wants to make sure the mayor of South San Francisco is prominent in any film we do."

(A related memo, put in evidence a few days later, was likewise never quoted by the Chronicle, although it was by the Examiner. It was also from the news director and was dated Dec. 20, 1966, the day after the Chronicle board of directors had discussed committing \$600,000 to CATV in South San Francisco. It read: "Between now and the 1st of February let us concentrate a little heavier on South San Francisco if warranted. H.P.S. wants to make those people happy.")

There was another aspect of the South San Francisco episode that both papers studiously ignored. Evidence was offered as part of the public transcript--though Naumowicz refused to explore the subject--that after the South San Francisco city council awarded its CATV franchise to the Chronicle, members of the council received free color television sets for their homes, courtesy of the Chronicle.

-Continued on page 9

A great newspaper is more than a drop cloth



"Despotism can nowise exist in a nation until the liberty of the press be destroyed."

...C.C. Colton

San Francisco Chronicle

Chronicle promotion ads in The New Yorker

A great newspaper is more than a puppy bed



"Where men have the habit of liberty, the press will continue to be the Fourth Estate, the vigilant guardian of the rights of the ordinary citizen."

...Sir Winston Churchill

San Francisco Chronicle



# KRON's army of attorneys and experts overrun the hearing

By Stephen R. Barnett

If the Chronicle's Raudebaugh and the Examiner's Ludlow hadn't been so busy counting the spectators at the KRON hearing, they might have made a more significant point by counting the lawyers.

Just as the line-up of reporters in the hearing room--both representing the same press monopoly, itself on trial in the hearing--told a good deal about what's wrong with our local press, the line-up of lawyers illustrated one of the things that's wrong with our legal system.

The KRON case is an unprecedented and highly significant event in the annals of American broadcasting. The FCC, which every three years usually renews station licenses the way a library renews books, has called the hearing to determine whether the Chronicle Publishing Co. has abused its public trust by "managing" the news on KRON-TV to further its business interests. (There are also issues of whether the Chronicle has an undue concentration of control of Bay Area media, whether it has engaged in monopolistic practices in the newspaper industry and how good KRON's public-service programming has been.)

The Chronicle's chief lawyer, Robert L. Heald, suggested one day that, if broadcast journalists at other stations kept diaries about the day-to-day handling of the news, as Al Kihn did while working for KRON, "we would have the same charge against every station in the United States." Heald is a leading broadcast lawyer and should know what he's talking about.

## Inside KRON

But if the practices alleged by Kihn at KRON are indeed typical of broadcast stations in San Francisco and across the country, it's about time the FCC and the public found out. The greatest significance of the KRON hearing may lie in the fact that a working journalist has for the first time blown the whistle on these practices from the inside, and has produced enough proof to compel the FCC to hold a hearing and spread the evidence before the public.

While the public's interest was thus deeply engaged in the hearing last spring, the battle was fought out, necessarily, by lawyers. And it was here, among other places, that the public got the short end of the stick.

Representing the opponents of KRON's license renewal, Al Kihn and Blanche Streeter, was an able but lone San Francisco

lawyer, Charles Cline Moore. Assigned to aid him were two attorneys from the Broadcast Bureau of the FCC. But Moore himself had to carry the brunt of the case, on each of the several issues, and he was supported by no paying client and no financial resources.

Meanwhile, literally platoons of lawyers represented KRON. On a good day at the hearing, you could find at least 12 from four separate law firms in San Francisco and Washington, D.C. Five came from Heald's firm in Washington, four from the Washington firm of Wilmer, Cutler & Pickering; two from the Chronicle's house firm of Cooper, White & Cooper in San Francisco and there was also Lester Spillane of San Francisco.

(The Chronicle, characteristically, is the only major daily in the country that has no Washington news bureau and not a single reporter in the capital. But it has these two Washington law firms--whose combined fees for the FCC hearing must be running into the millions--to defend its media monopoly and, when necessary, to send troops of lawyers to San Francisco.)

KRON lawyers worked in relays, one team spelling another as the issues changed. On the other side, Moore had to carry the ball throughout. At one point, as the hearing turned to the complex issues of media concentration and monopoly and as KRON brought in a fresh team of four lawyers who had been preparing for weeks, Moore pleaded for a three-week recess to recover from exhaustion and have time to prepare. KRON lawyers opposed the recess and FCC Hearing Examiner Chester F. Naumowicz, Jr., upheld KRON.

Sheer numbers of legal personnel make a big difference in a complex case like this flooded with paperwork. But KRON used its financial resources to overwhelm the opposition in other ways. KRON lawyers commissioned a half-dozen "research studies" in an effort to show that the Chronicle-Hearst complex does not have undue control of the Bay Area media.

## "Experts" parade

Then a parade of "expert" witnesses took the stand, all for a fee, to introduce these studies and other technical evidence on KRON's behalf.

As the finishing touch, Eugene V. Rostow, professor and former dean of the Yale Law School, flew out from New Haven to offer his expert opinion that the Chronicle-Examiner monopoly is a perfectly reasonable thing for San Francisco. Having earned his fee, Rostow flew

back East.

The cost of KRON's legal blitz was doubtless astronomical, but no one need worry about Chronicle's ability to foot the bill. Chronicle figures entered as a hearing exhibit revealed that for 1968, the latest year required for FCC disclosure, station KRON-TV had a pre-tax profit of \$6.5 million. (Revenues were \$12.2 million, so the profit margin was greater than 50 per cent.)

Even more interesting are the financial figures for the newspaper. The Chronicle for 1968 had a pre-tax profit of \$3.0 million, despite a 52-day strike that closed down the newspaper. While financial figures for the Examiner were not disclosed at the hearing, the agreement between Hearst and the Chronicle calls for a 50-50 split of the monopoly profits. It's fair to assume the Examiner, too, is earning something like \$3 million a year. Not bad for "failing newspapers" that need an illegal monopoly and a special act of Congress to keep them alive.

In the reams of copy carried by the two papers about the hearing, this significant data on newspaper profits somehow never made it into the Examiner or the Chronicle. However, Bill McAllister picked it up in his comprehensive Wall Street Journal story.

When the Newspaper Guild's "The Bay Guildsman" hungrily picked up the Chronicle's profit figures, it had to quote McAllister in the Journal and not fellow Ex/Chron guild members covering the hearing.

## Naumowicz eccludes

While the batteries of KRON lawyers were engaged in legal overkill, the hearing received another distinctive stamp from the man who presided over it, Hearing Examiner Naumowicz. Thanks to Mr. Naumowicz, a substantial part of the hearing was devoted to legalistic wrangles over the admission of evidence, and a good deal of relevant evidence, some highly significant, never made it into the record.

The "exclusionary rules of evidence" were designed for jury trials. The trend in the law in recent decades has been away from their rigid application in all kinds of cases, but most of all in administrative proceedings such as an FCC hearing. You wouldn't know it, however, from the hearing run by Mr. Naumowicz.

His frequent exclusionary rulings hurt both sides, but on balance they seemed to hurt KRON less than the opposition. KRON's well-paid "experts" all managed to get their specially commissioned studies into the record.

But when unpaid Bay Area residents directly affected by the newspaper monopoly tried to testify to some of the same things (Guardian publisher Bruce Brugmann on his competitive experience with the Ex/Chron monopoly, myself on Chronicle coverage of the FCC story and KRON coverage of the newspaper story), they found Mr. Naumowicz stoutly sustaining objections of the KRON lawyers.

The best example was J. Hart Clinton, San Francisco law-

# RAYMER'S RAIDERS CHRON/KRON ATTORNEYS AT WORK

Cooper, White & Cooper; S.F.

(the Chronicle's house firm)



James Brosnahan

(And, at one time or another, almost every man in the 23-attorney firm)



Robert Raymer

Lester Spillane; S.F.



Lester Spillane

Wilmer, Cutler, Pickering; Washington, D.C.



Daniel K. Mayers



Sally Katzen



Lloyd L. Cutler

(Dennis Flannery not shown)

Fletcher, Heald, Rowell, Kenenhan & Hildreth; Washington, D.C.



Wade H. Hargrove



Robert L. Heald



James P. Riley



Frank U. Fletcher



John Harrington

yer and publisher of the San Mateo Times, who was treated rudely by Mr. Naumowicz in the bargain. Mr. Naumowicz seemed to have a special standard of favoritism for witnesses who were paid to testify, and it helped the witness even more if he came from outside the Bay Area.

The hearing examiner's most amazing ruling came with Chronicle columnist Charles McCabe. McCabe testified that, in 10 years as a Chronicle columnist, he has had fewer than 100 words censored out by his editors--except for one column that was killed completely.

This was a column, written after the assassination of Sen. Robert Kennedy, which was "a very strong statement about violence on television." It ended by urging Bay Area television viewers to write the FCC and request a hearing on the subject. McCabe said he was told by the Chronicle's acting managing editor, William German, that the column would not be published, and that the editor had added he was sorry because "I think it is a very good column."

McCabe's testimony was relevant to two issues specified by the FCC for consideration at the hearing. But beyond that, the episode related by McCabe was expressly set forth in the FCC's order as one of the inci-

dents the hearing should look into.

Because of this, Heald had not even objected to McCabe's testimony. However, Mr. Naumowicz took it upon himself to strike all of McCabe's testimony from the record, on the ground that under the First Amendment "newspapers can print anything they want."

Of course they can, but they have no constitutional right to own a television station. Mr. Naumowicz apparently takes the view that if the Chronicle, let us say, completely suppressed the fact that its management was in trouble with the FCC over its San Francisco television station--as the Chronicle substantially did before the hearing began last March--this fact cannot even be considered by the FCC in determining whether the newspaper's ownership of the station is in the public interest and should be renewed.

Fortunately, there is reason to believe the FCC will disagree with Mr. Naumowicz on this point.

The best answer, of course, would be for the FCC simply to prohibit daily newspapers from owning television stations in the city where they publish, which would largely prevent such problems. The FCC is presently considering this proposal and has asked for comments from the public.

Just in case

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# The hearings KRON's witnesses were 'calm,' their denials were 'emphatic'

-Continued from page 7-

The Chronicle story on March 18 was noteworthy not only for what it left out, but for what it included. While reporting some of Kihn's charges, Raudebaugh and his editors contrived mightily to bury them. This first day's story was even placed on the front page, but Raudebaugh took care of that.

He spent the first 14 paragraphs of the story--the entire front-page portion and then some--talking about the diary Kihn had kept, why he had kept it, why he had written the FCC, whether he felt nervous after doing so and other mundane irrelevancies. Only then, after most readers had been turned away and the story jumped inside, were some of the charges reported.

This became the Chronicle's standard technique whenever the hearing produced evidence damaging to KRON: use large amounts of space, but smother the hard news with insipid fluff. The paper thus did its best to support Heald's claim that the hearing was not newsworthy and did not interest the public.

## Ludlow pitches in

In the Examiner, meanwhile, Ludlow was pitching in to help the KRON lawyers attack Kihn's credibility. "KRON attorneys continued today to chop away at Albert Kihn's integrity, reliability and character," ran one lead in the Examiner, which gave much more space and prominence to Kihn's cross-examination than to the direct. That Sunday, Ludlow wrote that Kihn's "infectious smile had become a twisted grin."

Pro-KRON witnesses throughout the hearing got different treatment in the Examiner. Chronicle publisher Charles Thieriot was a "calm and cooperative witness." Chronicle managing editor Gordon Pates "calmly explained the facts of life on a metropolitan newspaper" and was "never flurried." Chronicle executive editor Scott Newhall "virtually galloped through the questions." When Wells B. Smith, president of the jointly owned Newspaper Printing Co. was on the stand, "the printing company executive, calm and alert, answered... questions readily...."

Occasionally, Ludlow would take up where KRON attorneys left off. J.J. Spain, vice president of the Musicians Union, testified on April 27 that KRON had editorialized against the six-week strike of the San Francisco symphony in 1967. Ludlow explained that, because Spain was a public witness, KRON's attorneys hadn't cross examined him and, said Ludlow in their place, "They didn't even mention to Spain, for example, that KRON has never editorialized."

Kihn was followed to the witness stand by Ed Fleming, a former KRON newsman who is now a stockbroker. Fleming was asked about the station's coverage of the newspaper merger story in 1965 and, as the broadcaster who put the story on the air, he squarely backed up Kihn.

KRON conceded at the hearing that the station's news staff had been prohibited from report-

ing the impending merger unless it could get the authoritative "facts," which KRON said could come only from the publishers.

Meanwhile, the New York Times and Oakland Tribune had broken the story, other local stations were broadcasting it, newspaper unions were holding emergency meetings, walls were being knocked out and employees fired in the Chronicle building (where KRON was situated).

KRON executives contended the station's newsmen were not prohibited from trying to get "the facts." Fleming, however, corroborated Kihn's testimony that there was indeed such a prohibition.

The morning after Fleming testified, Raudebaugh and the Chronicle produced another burial job. The headline read, "KRON Case Diary Ordered 'Filed'," and the first 11 paragraphs--more than half the story--were devoted to technical legal arguments about the evidentiary status of Kihn's diary and to matters such as the fee Kihn was paying to his lawyer, Charles Cline Moore (one dollar). Only then did Raudebaugh get around to Fleming, for five paragraphs. And he never indicated that Fleming's testimony supported Kihn's.

By the end of the first week, Kihn's testimony had been backed up by two more witnesses. Newsmen Terry Morrison and Don Picken testified they had been told by their superiors at KRON that the reason for the station's unusual coverage of the Chicken's Ball and the South San Francisco library lay in Chronicle's CATV interests in those communities.

In Ludlow's story that Sunday, however, the 650,000 readers of the Sunday "Examiner & Chronicle" were told nothing about the testimony during the week. Instead, they were given, under the headline "Audience Deserts TV Quiz," the company line about how dull and unattended the hearing was.

They were also given the remark about Kihn's "twisted grin," but not the charges he had made or the fact three independent witnesses had backed him up.

## Approach changes

(Kihn was later backed up by several other witnesses, but, again, this fact was never noted. Failure to indicate the relationship between the testimony of one witness and another was typical of the Chronicle, and to a lesser extent the Examiner, throughout the hearing. It contributed a good deal to the incomprehensibility of their coverage.)

Things were different the next week when See took the stand. The Chronicle the next morning (March 26) displayed a large and forthright headline, "KRON Chief Says News Not Slanted," and Raudebaugh produced a crisp lead to the same effect.

The entire 39-paragraph story was full of See's self-serving statements and contained virtually nothing unfavorable to the KRON position. See was reported as winning every exchange with the opposing lawyers and making no damaging admissions.

The admissions, however,

were there--they just weren't reported. Thus, the story had See's defense of KRON's handling of the newspaper-merger story, but it did not indicate that he answered "yes" to the question: "Did you then on your own instructions suppress this news story until... (an announcement of the merger came from) the publishers of the San Francisco Chronicle and the San Francisco Examiner or any other reputable source?"

The story did not indicate that, when See was then asked his definition of a "reputable source," he replied it would have to be the publisher of the Chronicle, Charles Thieriot, or the editor, Scott Newhall--"but I would prefer it from Mr. Thieriot"--and the publisher of the Examiner, Charles Gould.

Five times in the same story, Raudebaugh reported See's claim that KRON newsmen would not have been prohibited from airing the merger story if they had obtained "the facts." Not once did the story indicate See's unusual definition of "the facts": "I assumed the facts

were in the hands of the publishers.... I assumed there were no facts elsewhere."

April 1 was an important day at the hearing. Frank Sutton, former KRON cameraman now with KGO, testified that he had overheard, at the time of the Chicken's Ball, a newsroom conversation involving Evan White, the assignment editor, and both the news director and the general manager of KRON.

One of the executives told White, Sutton said, that the coverage of the event in San Carlos was designed "to let the city fathers down there know (we) were in the television business and (we) were also in the cable television business." White himself had previously testified to substantially the same thing, but Sutton added important verification.

Following Sutton to the stand was Art Brown, still a KRON newscaster, who confirmed that instructions had been issued by the KRON news director not to use the words

"merger" or "monopoly" in covering the 1968 newspaper strike.

(This part of Brown's testimony was omitted from the Examiner stories. Ludlow reported, misleadingly, that Brown had said "no special instructions were ever received by him from management.")

Three other witnesses also testified that day, including Mrs. Streeter and Dr. Tom Brewer, a nutrition expert who said a program he had taped for KRON was killed by management because of derogatory remarks he had made about cigarettes, soft drinks and other heavily advertised products.

Faced with Sutton's testimony and the other newsworthy charges, Raudebaugh and the Chronicle got out their burial implements. The headline read, "KRON Hearings Speeded Up," and the first nine paragraphs of the story were devoted to the fact that five witnesses had been heard in one day ("the

-Continued on page 17

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欄荷富曼Nicholas Von Hoffman說：  
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費幾乎加倍。除此之外，兩報又可以在  
出「在兩報登廣告只收一報廣告費」之  
交易，使一間競爭的新日報，被逐出三  
藩市之外。」  
「雖然國會所通過之法案，目的在  
挽救虧蝕之報紙，及增加報導及社論之  
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報」(益三文章報)簽訂合約時，有七百  
萬元在銀行。再者，由於此兩報報紙之  
本地新聞太過腐劣，使「灣區導報」之  
GUARDIAN成為全市最佳最可靠之刊物。  
導報乃月刊，由一個人及幾個義務員  
所刊出者。」  
請訂閱三藩市最有競爭性之報紙，  
五元可得廿四期。

Four days after the House approved the "Failing newspaper" act, Nicholas von Hoffman, the Washington Post/San Francisco Chronicle columnist, wrote a column denouncing the publishers behind the bill as being "As scurvy as the special interests they love to denounce." He used the Examiner/Chronicle as an example of how these monopoly arrangements "cost us consumers not only in dollars but in a lower quality product."

The Chronicle refused to run von Hoffman's column. The Guardian approached the Examiner/Chronicle advertising department and offered to buy space, as a 4 by 16" advertisement at the joint rate of \$2,408, to run von Hoffman in the Chronicle and the Examiner. We found we couldn't even

pay cash with copy, to get the Chronicle to publish this column by its own Sunday columnist.

"The publisher has a right to refuse anything he wants and he doesn't have to give a reason," ad salesman J.C. Kenney told our office manager.

"Do you mean," our manager asked, "He can arbitrarily do this even though he publishes a monopoly newspaper?"

"We're not a monopoly," Kenney replied. "There are lots of places you can go to advertise. Why, you can go right across the street here and put it in the Shopping News, which comes out two or three times a week. Or you can put it in the Chinese Weekly."

## Von Hoffman Newspaper Monopolies

Last Wednesday, the day the House of Representatives voted to exempt the newspaper industry from the antitrust laws, you could see Secretary of Defense Melvin Laird out on the floor throwing handshakes and athlete's hugs at his old congressional buddies. It may have been a social call he was paying, or he may have been lobbying for a spare aircraft carrier, but whatever the reason for his presence this busy man had found time to talk to congressmen.

Spiro T. ("Ted") Agnew was not present, was not shaking legislative hands, was not lobbying against this bill which furthers the media concentration that our esteemed Vice President would have people think he objects to. The bill will make it legal for 44 newspapers in 22 cities to rig prices, divide markets and pool profits in the grand tradition of John D. Rockefeller the first. It will also permit any and all other newspapers to apply to the Justice Department for permission to do the same in the future.



Nicholas Von Hoffman

The 44 newspapers which receive immediate permission to ignore the law that others must obey have been granted this privilege on the grounds that without it they will fail. The precedent is set; if business is bad, ask Congress to exempt you from free enterprise competition so you can enter into an agreement with your erstwhile commercial rivals to screw the consumer.

If the precedent holds you won't have to be going into bankruptcy, you'll only have to poor mouth and make it seem that you are. That's what these newspaper scalawags have done: made a loud noise about how poor they and their industry are.

Newspapers are not going out of business. There were, according to the testimony on this bill, 1,749 newspapers in America at the close of World War II. Twenty years later there were 1,754. During that time daily newspaper sales have grown by more than 10 million. And the advertising revenues? Up more than 400

per cent in the last generation so that last year they went over the \$5 billion mark. New dailies are being started quite regularly, 33 in the past three years. This is not a moribund industry deserving special favors.

The case for the 44 newspapers which wanted this law because they've been operating with price fixing agreements is even shakier. Three of the beneficiaries of this legislative gratuity are The Birmingham Post-Herald, the Pittsburgh Press and the Evansville Press, owned by the Scripps-Howard organization which also owns 15 other newspapers, United Press International, United Features Syndicate, the Newspaper Enterprise Association (NEA), the World Almanac, five television stations and heavy investments in cable TV.

Another outfit that will directly profit from this law is the Newhouse newspaper chain which, according to testimony before the Senate's Antitrust Subcommittee, owns or has a heavy interest in at least eight newspapers and seven television stations. It's sometimes hard to be sure; the skein of corporate control can be so complex. In any event, Newhouse also has seven cable television companies, as well as Vogue, Mademoiselle, House & Garden, Glamour and Bride's magazines.

Other winners under this law are Hearst's many enterprises and John Knight's communication chain which reported first quarter revenues of over \$60 million. If these are deserving candidates for exemption from the antimonopoly laws then what about dear, little DuPont and frail, fading General Electric?

Witnesses before the House committee which reported this monstrosity out onto the floor demonstrated that these collusive agreements cost us consumers not only in dollars but in a lower quality product.

After the San Francisco Examiner and Chronicle got together to fix prices, advertising costs in the Chronicle nearly doubled. Beyond that, the newspapers were able to offer two-for-the-price-of-one advertising deals that drove a new, competitive daily out of town.

Although the bill's purpose is to save financially dying newspapers and promote news and editorial diversity, the truth is the Chronicle had \$7 million in the bank when it signed its agreement with its competitor. Moreover, the quality of local news coverage in both papers has become so bad that the best and most reliable periodical in the city is The Bay Guardian, a monthly put out by one man and a bunch of volunteer helpers.

(bold face added)

The greatest shame here isn't Agnew's or Congress's but the newspapers'. In their rectitude, they denounce everybody else's circumvention of the give and take of

the free market. By forcing this piece of tacky legislation through, they've shown they're just as scurvy as the special interests they love to denounce.

There are some noble, ironic exceptions to this, the most conspicuous being The New York Times which, unlike the Vice President, has spoken out against this new development in media concentration. (The Washington Post also editorialized against the Act.) Even the Justice Department, which doesn't do much right, fought it. But many newspapers have backed it or been silent. That will put them in a strange position when the printers' unions demand they be paid for the work machines do better and faster. If the publishers can violate the principles of free enterprise and live by legalized monopoly, why shouldn't the unions be just as economically irrational?

The papers will not only regret what they've done at the labor bargaining table but also in their dealings with the government. How free are they going to be when they are beholden to these same politicians for their abnormal profits? What they have done to themselves is far worse and far more worrisome than anything Agnew can do to them. Now they must live under the threat that this privilege may be taken away from them.

Perhaps the people in the newspaper industry can take some comfort in the fact that this vote showed that for a dying business they have awesome power. Members of the House of Representatives fought each other for a chance to vote for this bill, which wars against both liberal and conservative principles.

Reactionaries like the Republican Majority Leader Gerald Ford and his assistant, Les Arends, voted for it. The Baby Goldwater, Barry Jr., did also; the same for the Baby Taft, Robert Jr.

Some of the heroic liberals were just as courageous. Allard Lowenstein, the fighting Long Island peacenik, voted for it; Wisconsin's Robert Kastenmeier who's supposed to be so good, made the principal apology for it, and the fair and golden Tunney, the man California Democrats hope will beat George Murphy for the Senate, cast his vote for it, too.

Only 87 congressmen had the guts to vote no. One of them was the black lady, liberal-radical from Bedford Stuyvesant, Shirley Chisholm, and another was John Rousselot, the John Birch Society man from Orange County, California. So who says the extremes can't unite in America? The problem is what do we do about the soggy middle?

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# The man from Mayfair says, 'We don't handle stale products'

—Continued from page 1

Since the Safeway's management is trying to maintain simple, legible open dates on all Safeway brands, executives apologized for the ambiguous code I found on their eggs. "Some of our packers haven't gone along with our policy," said Lorenzo Hoopes, a vice-president.

Fresh meat, usually wrapped in the stores, bears a simple two digit pack date or, as in the Mayfair stores, a letter meaning the day of the week. But if the food remains unsold for a month, or a week, the ambiguity of the code date makes it read as fresh.

"The meat moves out of here so fast we don't even have a code," said one Mayfair clerk at the Geary Blvd. store, though the empirical evidence of his own meat counter—where everything was code-dated after all—pointed to the opposite conclusion.

The practice of re-wrapping and re-coding old food is also common in Washington, D.C., as disclosed by surveys conducted by the staff of Leonard Farbstein (D-N.Y.) and in Chicago by the National Consumers Union and the Chicago Journalism Review.

However, selling old food is not illegal, nor are secret codes. San Francisco Public Health and California Food and Drug Administration officials can only take action against stores which are selling either short weight, harmful or adulterated food. And stale food is not necessarily any of these.

"The laws don't cover nutritional value of foods," said FDA cannery inspector James McElwee. "Just whether or not it's harmful." In the case of meat or bread, it may become shortweight as it ages. Then inspectors can move in and threaten to revoke licenses.

But this catches the offender on a technicality. Besides, officials don't have time to care much about freshness. "If we had to worry about food codes, we'd have to triple our staff," said San Francisco health center supervisor Santos Sanchez.

However, some government regulatory agencies know the food codes. The San Francisco inspectors, for example, have codes for dairy products. Also, cannery inspection officials in the California Food and Drug Administration have the codes for canned goods with low acid content. Since low acid products could support the growth of botulism, a deadly bacteria, California law requires that the codes of these products be registered with the FDA.

But since there is no requirement for the agencies to release their codes to the public, they adamantly refuse to do so. "The codes are confidential to protect the canner," secretaries for FDA officials say routinely before hanging up on you.

What the canner is being protected from is not a topic they will discuss. State meat inspection supervisor Mel Wahl said, "We can't as a public agency give out the codes. It would be like giving out the formulas of the plants."

Legislation is pending in Washington and Sacramento which would require legible, understandable pull dates on perishable foods, making the degree of food freshness a legitimate item for both government

regulation and consumer information.

In Washington, the bill is an amendment to the Fair Packaging and Labeling Act (H.R. 17005), authored by Rep. Farbstein and sponsored by some 58 congressmen, including San Francisco's Philip Burton. The issue, now in the House Sub-committee on Agriculture, has been postponed until January, 1971, but observers generally agree that if any food-coding bill can pass, it will be this one.

Farbstein also is petitioning the Federal Trade Commission, asking that its section 5 on deceptive practices be amended to include food codes. When the FTC meets Sept. 1 to make its staff report on perishable and canned foods, Farbstein's petitions will ask for a definite shelf-life to be listed clearly on such products' labels.

## More Dismal

In Sacramento, the picture is more dismal. State Senator Anthony C. Beilenson (D-Los Angeles) has authored two bills which are now dying in committee—one on open pull dating of bakery products, another on open dating of dairy products.

Bob Toigo, Sen. Beilenson's legislative aide, attributes the bills' demise to pressure on the legislators from the powerful grocers' lobbies—and to the lack of strong public opinion.

Consumer spokesmen testified for the bills before the committees, but did not conduct any all-out drive on food codes. Mrs. Sylvia Siegel, executive director of the Association of California Consumers, said, "It wasn't one of the key consumer issues. In relation to the total volume of consumer complaints, incidents of stale food are relatively small." However, Mrs. Siegel has recently changed her mind. She said she was shocked by some of the Guardian's findings and is currently organizing local consumer groups to do a complete survey on conditions in the markets.

The grocers' position is unchanged. They vehemently and almost unanimously oppose the open-dating bills. Stan Johnson, director of the San Francisco Bay Grocer's Association—representing some 17 counties and 1400 stores—stated the reasons for opposing the Beilenson bill.

"The grocer puts forth every effort to get fresh products at the lowest price to the consumer," Johnson said. "He's got to in order to be competitive; he's vulnerable."

"Actually we're getting more complaints about out-of-stock food than food which is not fresh. The happy medium is not open-dating but well-trained store people who are regularly rotating stock."

## Bread Dealers

John McCarthy, distributor for Langendorf Bakeries said, "Open dating is useless. You just get housewives confused. Fresh bread isn't good for you anyway—it's not healthy."

Milk and dairy executives are distraught over the prospect of required open dating. "Is it your purpose to raise the cost of milk 50 to 100 per cent for the poor people of the city?" screamed Micky Davis, general manager of Christopher Milk, when I asked him about open dating. "As long as we know how to control our

products, we think that's all we need to do."

The milk industry has marshalled surveys of the cost effects of open-dating to bolster its point. The most recent, done in February, 1970, for the Milk Industry Foundation, comes to the same conclusions as earlier milk industry surveys—(1) that the quality of open-dated and code-dated milk is comparable, (2) that milk sold past the code-date is generally still fresh, and (3) that costs do generally increase under open dating because more deliveries are required to keep freshest milk in stock.

## Cigarette Codes

Codes are printed or stamped on end of carton.

### AMERICAN TOBACCO

brands—Carlton, Lucky Strike, Pall Mall, Herbert Tareyton, Tareyton and Silva Thins SK(example of code)

A two letter month-year pull date. First letter stands for month based on the word "AMBIDEXTROUS." Second letter is year.

i.e. A is Jan. and I is 1970  
M is Feb. J is 1971  
B is Mar. K is 1972  
I is Apr. L is 1973  
SK MEANS pull after Dec., 1972.

### BROWN & WILLIAMSON

brands—Bel Air, Kool, Raleigh and Viceroy OE(example of code)

A year-month pull date. Digit refers to year, letter refers to month.

i.e. 0 is 1970 and A is Jan.  
1 is 1971 B is Feb.  
2 is 1972 C is Mar.  
OE MEANS pull after May, 1970

### LIGGETT & MEYERS

brands—Chesterfield, L&M and Lark SO(example of code)

A letter-number pull date. Number stands for year. Letter stands for month, based on the words "QUALITY SMOKE."

i.e. Q is Jan and 0 is 1970  
U is Feb. 1 is 1971  
A is Mar. 2 is 1972  
SO MEANS pull after Aug., 1970

### P. LORILLARD

brands—Kent, Newport, Old Gold, Spring and True HO(example of code)

A letter-number pull date. Number stands for year. Letter stands for month based on the words "BLACK OR WHITE."

i.e. B is Jan. and 0 is 1970  
L is Feb. 1 is 1971  
A is Mar. 2 is 1972  
HO MEANS pull after Sept., 1970.

### R.J. REYNOLDS

brands—Camel, Doral, Salem and Winston HJ(example of code)

A two letter pull date. First letter refers to month, second to year.

i.e. A is Jan. and J is 1970  
B is Feb. K is 1971  
C is Mar. L is 1972  
HJ MEANS pull after Aug., 1970.

John Kaczor, manager of the Northern California Dairy Association, stands by that report. "Open dating on milk is an anachronistic phenomenon," he said emotionally, "The quality of a bottle of milk is better than it was five years ago, and milk-dating was anachronistic even then. If there's a problem, let a consumer handle it on an individual complaint basis, not impose upon an entire industry—a struggling industry—an uneconomic prospect."

The milk industry report states that the average shelf life of pasteurized grade A milk at 40° F is 20 days. However, Farbstein and other sponsors of the bill for open-dating accept the shelf life of milk when stored at a lower temperature—33° F—as only seven days.

Stores now using open-dating report none of the cost increases which opponents of open-dating fear. The Berkeley Co-op, which handles Gold'n Rich and Knudsen's dairy products, posts explanations of codes right on the refrigerator case.

"The store clerks are more careful to anticipate the sales... and more careful about the rotation of the products in the dairy case," Berkeley co-op home economist Mary Gullberg testified last January before the Senate Subcommittee for Consumers on the Fair Packaging and Labeling Act.

Two months ago in Chicago, the Jewell Food Stores chain began an experimental campaign to educate consumers about codes. They gave consumers access to their complete guidebook for the codes. And last week Jewell reported that profits, not costs, had increased with open dating. In a telephone interview, Jane Armstrong, Jewell's director of home economics, scoffed at the concern over the cost increases. "Initially we maybe had some out-of-stock problems—clerks hesitating to order for fear of losing sales. But most of our sales people know how much to order," she said.

## Safeway Paradox

Paradoxically, Safeway stores, which pride themselves on having maintained an "open-dating" system since the 1940s, oppose the open-dating bills. "The customer has a right to know and should be informed, as to what she is buying," states a Safeway position paper. But later it reveals its true colors. Safeway says regulations which would standardize the shelf-life of foods are uneconomic. "...Experiments with open 'pull' or 'off-sale' dates... have been unfavorable and, in our opinion, may even lessen our ability to rotate stocks in a manner at all times to assure fresh products for our customers." Shelf life standards, it says, would be "a disincentive" to improving the quality, freshness and thus the shelf-life of its products.

Perhaps we can concede Safeway's point about the question of incentive, but Safeway's opposition to the open-dating bills does not suggest the constructive alternative of requiring open pack dates on all products. Nor is it currently planning a consumer-education program, on the line of the Jewell chain, to explain its "open-dates" to customers, though executives suggest they might someday.

So let us examine the sin-

cerity of Safeway's claim that it does indeed have consumer-oriented "open-dating." Many Safeway products, Mrs. Wright's salad dressing, for instance, are plainly marked with a simple number pull date. For instance, 10-6-70 means that October 6, 1970 is the last date the product should be sold or any way, sold at full price.

## With a Smile

At the Safeway headquarters in Oakland, in the executive inner sanctum, Lorenzo Hoopes, the vice president in charge of supply, leaned over his broad mahogany desk and, with a young public relations aide at his side, said with a smile, "In as many products as we produce ourselves, our philosophy is one of pull dates that can be and are easily recognized by the consumer. We've got a large number of steady customers who shop milk by the date."

But milk is one of those items where the pull date is concealed—imprinted in wax (no ink used) on the pour spout of the carton. Hoopes explained that Safeway packing machinery cannot print clearly on wax, but, he said, the clerks can understand the date to rotate the milk efficiently.

However, I told them I checked three different San Francisco Safeways on July 15, 24 and 26, and found Lucerne milk that was past the code date and that, by Safeway rotation policy, should have been dumped as many as four days earlier. This was a revelation to P.R. man Duane Carlstrom who worked his way through college in Safeway stores. "If we had outdated milk when I was a clerk, I was stood up in the corner and often almost reduced to tears," he said. "You cannot find a more pure and wholesome product than our milk."

Other code dates on Safeway products are more difficult to read than the code on Safeway's milk. Code dates are color-camouflaged or placed on the back of products. Numbers on vacuum-packed meat are especially deceptive—carefully stamped in blue ink on the only red portion of the Safeway label. Also, the numbers contain zeroes and no break between the month and day of month so the code is not easily read as a date.

I found the greatest number of outdated goods on vacuum-packed meats, Safeway "guaranteed fresh." For instance I checked nine packages of bologna on July 15 in the Bush St. Safeway that read 0605, 710 and 708, meaning pull date June 5, July 10 and July 8.

"It's not a code," said Hoopes of these findings. "I use numbers to date my checks." On June 5, he writes 0605?

## The plastic twister

Also, the freshness of Safeway bread is code-dated by the color of the plastic twister. Hoopes said there is also a number on the twister, indicating a pull-date. Though I have often looked for such a number, I have never found it.

I asked Mr. Hoopes about Safeway's color code. "I don't think we would want to educate the consumer as to our color coding," he said, "It would be

—Continued on page 21



A SPECIAL  
**GUARDIAN** OFFER-  
THE MAIN SUPERMARKET  
CODES AND HOW TO  
READ THEM

# Don't buy stale bread, sour milk, rotting meat BREAK YOUR SUPERMARKET

## BREAD

Color coded by color of plastic twister and, occasionally, by letter stamped on end of package.

### SAFEWAY

brand--MRS. WRIGHT, SKYLARK, and OVENFRESH

fresh Monday--orange twist  
fresh Tues.--yellow twist  
fresh Weds.--no delivery  
fresh Thurs.--red twist  
fresh Fri.--white twist  
fresh Sat.--blue twist

### LUCKY

brand--HARVEST DAY and VARIETY

fresh Monday--blue twist--L  
fresh Tues.--green twist--U  
fresh Weds.--no delivery  
fresh Thurs.--gray twist--C  
fresh Fri.--pink twist--K  
fresh Sat.--white twist--Y

### MAYFAIR

brand--MAYFRESH

fresh Monday--blue twist--B  
fresh Tues.--red twist--R  
fresh Weds.--no delivery  
fresh Thurs.--orange twist--O  
fresh Fri.--green twist--G  
fresh Sat.--yellow twist--Y



## Dairy Foods

## MILK AND CREAM

(shelf life of 7 days at 35-40°F.)

### SAFEWAY

brand--LUCERNE  
7-28 (example of code)

Located on spout flap of carton, imprinted in wax (no ink).  
A simple three digit pull date. First number is month. Second and third digits show date of month.  
7-28 MEANS July 28 is last date milk should be sold.

### LUCKY

brand--LADY LEE  
S0128 or S1131 (example of code)

Located on spout flap of carton, imprinted in wax (no ink).  
A one-letter, four-digit pull date. Ignore letter which is plant. Middle digits are date of month. First and last digits (do not add) are month.  
S0128 MEANS pull Aug. 12.  
S1131 MEANS pull Nov. 13.

### MAYFAIR

brand--ARDEN  
23 or 23SF1 (example of code)  
Located on spout flap of carton, imprinted in wax (no ink).  
A two, sometimes three, digit-two letter pull date. First two digits mean date of month. Letters stand for city. Ignore final digit.  
23 or 23SF1 MEANS July 23 (or the 23rd of whatever month it happens to be) is last date milk should be sold.

## BUTTER

(shelf life of 2 months at 32-40°F, 1 year at 0 to 10°F.)

brand--LUCERNE  
10 (example of code)

Located on left end flap; imprinted in wax (no ink).  
A two digit pull date indicating last day of month it should sell.  
10 MEANS pull after 10th of whatever month it is.

brand--LADY LEE  
813 (example of code)  
Located on left end panel of carton.  
A three or four digit pull date. Last two digits are date of month. First are month. And then add 30 days, and that's the last date product should be sold.  
813 MEANS Aug. 13, but pull Sept. 12.

brand--MAYFRESH  
1109 (example of code)  
Located on left end flap, imprinted in wax (no ink).  
A four digit pull date. Use American Meat Institute system (see definitions).  
1109 MEANS pull after Oct. 10.

## COTTAGE CHEESE

(shelf life of 10 days at 35-40°F)

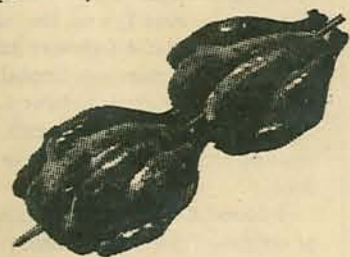
brand--LUCERNE  
A81BA or A731A (example of code)  
Located on bottom of plastic container.  
A four or five unit code. Ignore letters. First number is month. Second and perhaps third numbers show date of month.  
A81BA MEANS Aug. 1 pull date.  
A731A MEANS July 31 pull date.

brand--LADY LEE  
082 or K122 (example of code)  
Located on bottom of plastic container  
A three or four unit pull date. Ignore letter (if there is one) which is the plant. First and second digits are date of month. Final digit is month in system of 1-6 is Jan. thru June, then 1-6 is July thru Dec.  
082 MEANS pull Aug. 2.  
K122 MEANS pull Aug. 12.

brand--ARDEN or MAYFRESH  
NO3 or N31 (example of code)  
Located on bottom of plastic container.  
A three unit pull date. Ignore letter. Two digits refer to date of whatever month it is.  
NO3 MEANS Aug. 3 pull date.  
N31 MEANS Aug. 31 or probably July 31, whatever month it is.

## FRESH MEAT, FISH AND POULTRY

(shelf life approx. 1 week, 33°F., but varies per cut.)

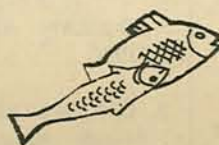


### SAFEWAY

brand--SAFEWAY "guaranteed fresh" ("Manor House" poultry)  
4 or 24 (example of code)  
Located on price label, just below kind of meat, imprinted (no ink used).  
A two digit PACK date.  
4 MEANS meat was wrapped on 4th of whatever month it is.  
24 MEANS meat was wrapped on 24th.

### LUCKY

brand--LUCKY  
1 or 13 (example of code)  
Located on green portion of Lucky price label.  
A two digit PACK date.  
1 MEANS meat was wrapped on 1st of whatever month it is.  
13 MEANS meat was wrapped on 13th.



### MAYFAIR

brand--MAYFAIR  
HH, TS (example of code)  
Located on price label.  
A two letter pack date code. First letter designates pack date. Second (ignore this) is letter of packer.  
H is Mon.  
K is Tues.  
L is Weds.  
N is Thurs.  
O is Fri.  
T is Sat.  
S is Sun.  
HH MEANS packed Mon.  
TS MEANS packed Sat.



## EGGS

(shelf life of 5 to 9 months at 20-31°F, but actual avg. is 21 days in your refrigerator.)

THERE'S NOTHING LIKE  
**Fresh Eggs**

### SAFEWAY

brand--LUCERNE and CREAM O' CROP  
8 214-1 (example of code)  
Located on left panel of carton. Usually three but here five digit pull date. Read only first two (or three) digits, first is month, then date of month.  
8 214-1 MEANS pull date of Aug. 2!! (when in doubt, ASK.)

### LUCKY

brand--LADY LEE  
W220 (example of code)  
Located on left panel of carton.  
A one-letter three digit code. Ignore letter which is plant. A day of the year code (see definitions).  
W220 MEANS pull 220th day, Aug. 15.

### MAYFAIR

brand--MAYFRESH  
L7-222 or 7-222 (example of code)  
Located on left end of flap.  
A four digit pull date. Ignore first letter and digit. Digits following dash refer to day of year (see definitions).  
L7-222 or 7-222 MEANS pull after 222nd day, which is Aug. 10.

## VACUUM PACKED MEAT AND BACON

(bacon shelf life is 1 week, for meats--shelf life ten days after pull date.)  
(Note--bacon code date is located on left panel of package.)



### SAFEWAY

brand--SAFEWAY "guaranteed fresh"  
0813, 813 or 8-13 (example of code)  
Stamped on red portion of package label.  
A two to four digit pull date. Read first digit (s) as month. Last two digits are date of month.  
0813, 813 or 8-13 MEANS Aug. 13 is last date meat should be sold.

### LUCKY

brand--LADY LEE  
0139 or 1092 (example of code)  
Stamped on back and bottom of package where opening instructions are.  
A two to four digit pull date. Like Lucky milk, middle digits are date of month. First and last digits are month.  
0139 MEANS pull Sept. 13.  
0192 MEANS pull Dec. 9.

### MAYFAIR

brand--MAYFAIR  
8171 or 817-1 (example of code)  
Located on back, on bottom of pkg.  
A four digit pull date. Use American Meat Institute system (see definitions).  
8171 or 817-1 MEANS Sept. 17 is last date it should be sold.



# Meat- ET CODES!



## basic definitions

pull date--Last date product should be sold at regular price. After that date, it should be reduced in price, returned to distributor, thrown out or (sometimes in the case of meat) ground into hamburger.  
pack date--Date the product was wrapped or packaged. Judge for yourself how fresh it is.  
shelf life--Length of time that the product will stay fresh under ideal handling and temperature.  
main codes-- 1. CALENDAR or MONTH-DATE--a four or five digit number telling year (usually 0 at front or end of code means 1970, 1 is 1971, etc.), then month and day. For instance 0117 is Nov. 7, 1970.

2. DAY OF YEAR--numbers 1 through 365 represent the consecutive days of the year starting Jan 1. Usually indicates pack date. Aug. 19 is 231st day.  
3. CALENDAR SUBTRACTION--reverse method of DAY OF YEAR code. 365 is Jan. 1, 1 is Dec. 31. Count down. Aug. 19 is 134th day.

4. AMERICAN MEAT INSTITUTE or SUPERMARKET INSTITUTE--a four digit code, usually a pull date. Add the first and last numbers for the month. The middle two digits (do not add) are the day of the month. For instance 5313 is Aug. 31.

## VACUUM PACKED MEATS

(bologna, salami, luncheon meats, etc. NOT bacon.)

### MORRELL/BOB OSTROW

0908 and 5084 (examples of code)  
Located on bottom seal of pkg., near pull tab if there is one.

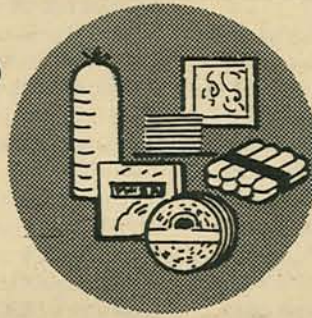
A four digit pull date. When first digit is zero, code is a month-date code--first two digits are month, last two digits are date of month. When first digit is NOT zero, code follows American Meat Institute format--add outside digits for month. Middle digits are date of month.

0908 is month-date code, MEANS Sept. 8, pull date.

5084 is A.M.I. code, MEANS Sept. 8, pull date.

exception--MORRELL smoked ham  
31 (example of code)

Located on price label, upper left hand corner.  
A two digit PACK date. Digits are day of month product was packed.  
31 MEANS product was packed 31st of whatever month it is.



### OSCAR MAYER

4274Y and 44 (example of code)

Four or five unit code is located on bottom, back of pkg.

Two digit code is located on price label.

Four or five unit code is pull date. Ignore final letter. See American Meat Institute code format. Two digit code is pull date referring to the last week product should be sold, in system where first week in Jan. is #1, last week in Dec. is #52.

4274Y MEANS pull date Aug. 27.

44 MEANS pull 44th week of year, which is last week in Aug.

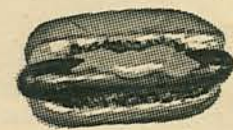
### ARMOUR

3314 (example of code)

Located at bottom of pkg., at right angle to Armour label.

A four digit pull date. See definition, American Meat Institute Code.

3314 MEANS pull July 31.



## BACON

(all codes located on left side of pkg.)

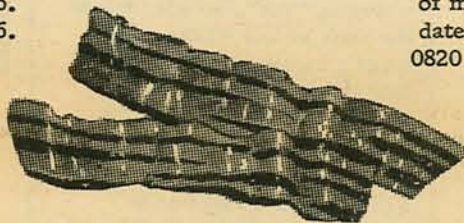
### MORRELL/BOB OSTROW

0816 and 4164 (examples of code)

A four digit pull date. See MORRELL/OSTROW vacuum-pked. meats.

0816 MEANS pull Aug. 16.

4164 MEANS pull Aug. 16.



### DUBUQUE

0820 (example of code)

A four digit month-date code.

First two digits are month. Second two are date of month. Code is a PACK date, not a pull date.

0820 MEANS bacon was packaged Aug. 20.

### HORMEL (GEORGE A. HORMEL CO.)

851 199F and 12132 199F (examples of code)

A three to nine unit code. Ignore 199F which refers to an inspection number. Code is a month-date PACK date. First digit refers to month. Second digit refers to day of month. 1 means packed in A.M. 2 means packed in P.M. 851 199F MEANS packed on Aug. 5 in morning. 12132 199F MEANS packed on Dec. 13 in afternoon.

## BREAD

(coded by colored twister or letter stamped on end of bag)

### AMERICAN BAKERIES/ LANGENDORF/MAYFRESH

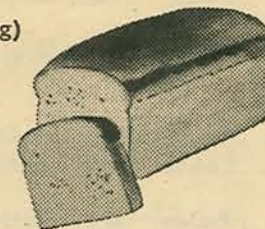
fresh Mon.--blue twist--B  
fresh Tues.--red twist--R  
fresh Weds.--no delivery  
fresh Thurs.--orange twist--O  
fresh Fri.--green twist--G  
fresh Sat.--yellow twist--Y

### KILPATRICK

fresh Mon.--orange twist  
fresh Tues.--white twist  
fresh Weds.--no delivery  
fresh Thurs.--yellow twist  
fresh Fri.--blue twist  
fresh Sat.--red twist

### ITT CONTINENTAL/WONDERBREAD

fresh Mon.--red twist  
fresh Tues.--white twist  
fresh Weds.--no delivery  
fresh Thurs.--yellow twist  
fresh Fri.--orange twist  
fresh Sat.--green twist



### OROWHEAT

fresh Mon.--blue twist--B  
fresh Tues.--yellow twist--Y  
fresh Weds.--no delivery  
fresh Thurs.--green twist--G  
fresh Fri.--pink twist--P  
fresh Sat.--white twist--W

## DAIRY PRODUCTS



### CHRISTOPHER/BERKELEY FARMS

Tricky code. We couldn't break it and they wouldn't tell us how, except that it changes each week. Readers are invited to break it.

4333 (example of milk code)

NOH6 (example of code on cottage cheese and sour cream)

### BORDEN'S/KNUDSEN'S

milk, cottage cheese and sour cream  
SOH7, SF70H7 or DOH7; and S1H7 (examples of code)

Located on pour spout of milk, on bottom of plastic container on cottage cheese and sour cream.

A four to six unit pull date. Ignore everything but last three units. Of those, the letter stands for month in system of A is Jan., B is Feb., C is Mar. etc. except X is Sept. date Digits stand for date of month.

SOH7, SF70H7 or DOH7 MEANS pull Aug. 7.

S1H7 MEANS pull Aug. 17.

### SPRECKELS/SOUTHLAND CORPORATION

milk  
OC7 (example of code)

Located on pour spout.  
A three unit pull date. Ignore letter. Digits are date of month.  
OC7 MEANS pull 7th of whatever month it is.

cottage cheese and sour cream  
OH6 (example of code)

Located on bottom of plastic container.  
A three unit pull date. Letter is month in system of A is Jan., B is Feb., C is Mar., etc. Digits are day of month.  
OH6 MEANS pull Aug. 6th.

### FOREMOST/MARIN DELL

milk  
SF-08 (example of code)

Located on pour spout, imprinted in wax (no ink).  
A two digit pull date. Ignore SF. Digits stand for date of month.  
SF-08 MEANS pull on 8th of whatever month it is.

### cottage cheese

1A8 (example of code)

Located on bottom of plastic container.  
A three unit pull date. Ignore letter. Digits stand for date of month.  
1A8 MEANS pull on 18th of whatever month it is.

### sour cream

H172 (example of code)

Located on bottom of plastic container.

A one letter-three digit pull date. Ignore letter. First and second digits are date of month. Last digit is month in system of 1-6 is Jan. thru June, then 1-6 is July thru Dec.  
H172 MEANS pull Aug. 17.

## CANNED GOODS

Even on the stores' own brands, the codes are different for every product. For instance Safeway's Townhouse diced beets are coded 9N908 but Townhouse canned beets are coded 1682.

Though canned goods are eventually perishable, right now there is no way for the consumer to unscramble each code in a systematic way. Just hope that what is inside is only a year old.

Design by Marion Dibble





# THE BETTER BUSINESS BUREAU —

**a toothless watch dog  
takes the 'bite' out of  
S.F.'s proposed Office  
of Consumer Affairs**

By Jennifer Cross

## What's your problem? Where to go

Advertising (false)	
local company. . . . .	District Attorney, BBB
food, drugs, cosmetics (local). . .	Health Dept. (city)
" " " (Calif.). . .	Health Dept. (state)
" " " (national). . .	Federal Trade Commission
Airlines	
California. . . . .	Public Utilities Commission
national. . . . .	Interstate Commerce Commission
Contests. . . . .	Post Office, Federal Trade Commission
Cosmetics (see drugs below). . . . .	
Drugs--advertising	
local. . . . .	Health Dept. (city)
California. . . . .	Health Dept. (state)
national. . . . .	Federal Trade Commission
labeling	
local. . . . .	Health Dept. (city)
California. . . . .	Health Dept. (state)
national. . . . .	Food & Drug Administration
wholesomeness & effectiveness	
local. . . . .	Health Dept. (city)
California. . . . .	Health Dept. (state)
national. . . . .	Food & Drug Administration
Door to door sales. . . . .	Police, District Attorney
Food (wholesomeness)	
local. . . . .	Health Dept. (city)
California. . . . .	Health Dept. (state)
national. . . . .	Food & Drug Administration
Fraud. . . . .	District Attorney, BBB, District Attorney or Attorney General
Buñco. . . . .	Police
Garbage. . . . .	Health Dept. (city)
Gas. . . . .	Public Utilities Commission
Insurance. . . . .	Policy Services Bureau
Labeling (false)	
food, drugs or cosmetics. . . . .	Food & Drug Administration
other. . . . .	Federal Trade Commission
Medical. . . . .	Professional & Vocational Standards
Moving Companies	
California. . . . .	Public Utilities Commission
national. . . . .	Interstate Commerce Commission
Product Safety. . . . .	Food & Drug Administration
Radios (repair). . . . .	TV & Electronic Dealer Repair Registration (bureau)
Restaurants (sanitation). . . . .	Health Dept. (city)
Real Estate. . . . .	Real Estate Board (state)
Sanitation. . . . .	Health Dept. (city)
Sales contracts. . . . .	Attorney General
Scales (faulty). . . . .	Weights & Measures
Short weight. . . . .	Weights & Measures
TV repair. . . . .	TV & Electronic Dealer Repair Registration

If your problem does not fit into these categories, you can get information (and referral) from:

The Better Business Bureau, 414 Mason, S.F., 781-3322. Call or write (calling hours 10a.m.-3p.m., Mon.-Fri.)

HELP (Central City Multiservice Center), 86 3rd St., S.F. (421-8950 (9a.m.-5p.m., Mon.-Fri.)) Call or write. Or contact its mobile units traveling the city.

Federal Trade Commission Consumer Protection Coordinating Committee, 450 Golden Gate Ave., S.F. (556-1270; 8:30a.m.-5p.m., Mon.-Fri.).

Thanks to a "thumbs down" by the Better Business Bureau and many local business leaders, San Francisco consumers are in danger of losing the best thing that could happen to them in years: a city Office of Consumer Affairs with real muscle to resolve consumer complaints.

Then Sup. Jack Morrison first suggested the consumer office last fall at the suggestion of the Association of California Consumers (ACC). Nine months later, his proposal has been modified twice (once to ACC, once to BBB specifications), gone through several supervisorial hearings and produced a thick wad of testimony, most of it BBB-inspired and hostile to a strong consumer office.

The ACC and BBB versions are now logjammed in the Supervisors' Government Services Committee and, to schedule further hearings and get them out of committee and to the full board, two of three ayes are needed from Sups. Roger Boas, John Ertola and John Barbagelata. The ayes are slow in coming and probably won't unless consumer pressure builds quickly beneath the three.

### 'Real muscle'

The ACC proposal has the real muscle. It would set up an office to handle complaints both by direct investigation and referral to other agencies. It would do research, start consumer education programs and represent consumers at public hearings and before the legislature.

Most important, it would have enough authority to get people's money back. In common with a handful of federal agencies, such as the Federal Trade Commission and the Food & Drug Administration, the office could subpoena companies to reveal records and, if necessary, appear in court. Unlike any other public agency, it would also undertake lawsuits on consumers' behalf and recover damages for innocent victims.

The ACC proposal is backed by some labor unions, welfare rights groups, the San Francisco Democratic Women's Forum and the National Council of Jewish Women.

The BBB version is a cop-out. This office would still represent consumers and investigate (or refer) their complaints, but would lack the subpoena power so necessary to compel hard-core offenders to move over, or to effect industry-wide improvements in product quality or merchandising tactics.

It would not even be independent, but probably would be situated in the Department of Weights & Measures, with the County Sealer acting as Director.

In a little publicized confidential memo dated March 10, the BBB alerted its business members to the specter of a Consumer Affairs Office. Such an office, the memo argued, would do little more than add yet another layer to our already top-heavy bureaucracy, a colossal waste of tax dollars, particularly since the BBB is already doing such a great job on consumers' behalf.

Members had better watch out or the new office with its nasty subpoena would have them all in court at the drop of a hat. It urged them to write to Supervisors against the proposal and in support of the BBB.

Supervisors, it suggested, would be better off funneling more money to the BBB to enlarge its consumer services and

to create a figurehead citizens' Consumer Council that would do no more than survey consumer problems and services in the city.

Predictably, BBB appeal brought the letters in...from the Greater San Francisco Chamber of Commerce, the San Francisco Real Estate Board, the San Francisco Advertising Club (which also alerted its members), from big fish like Citizens Federal Savings & Loan, Bay View Federal Savings & Loan, Hills Coffee, Macy's and Dow Jones; from even some smaller fry and some members of the public who had patronized the BBB.

The BBB's warning about the widespread use of subpoena power is, of course, dirty pool. In practice, the majority of consumer complaints can be solved by negotiation, without ever coming to court, or by forcing the company to produce its records.

On the face of it, some BBB arguments look pretty reasonable. Does the volume of consumer complaints in San Francisco really warrant the creation of a new office to help them? Do we really need yet another government department, when 65 already exist throughout the state which are supposed to help consumers, and (in theory) only need some jogging to make them perform better?

### A ringing yes

If anyone does not believe the answer to both questions is a ringing "yes", let him follow the steps of this writer, who spent a morning with the BBB, and about a day and a half talking with 18 of the principal local "consumer agencies".

Last year, on a budget of \$150,000, the BBB said it handled no less than 4,638 complaints from consumers, a 50% increase over 1968, besides 31,500 cases of counseling and 27,233 requests for reliability reports.

Of more interest, BBB's own survey shows that 3,100 calls a week never got through--because the BBB only has three telephone lines, and only opens for business during banking hours from 10a.m. to 3p.m.

Practically every other agency I called had a similar story--more complaints from the public, lack of staff and money to handle them. The same goes for Consumer Council offices in Nassau Co., NY, and Dade Co. and Jacksonville, Fla., which are the models for the proposed San Francisco office.

Up to a point, there is no doubt the BBB does a good job, which is one reason it is still the place the man in the street instinctively turns to when he has a consumer problem. But the BBB has severe limitations.

It has no real sanctions against unscrupulous or repeatedly offending firms. Nor can it risk offending members by attempting to clamp down on industry-wide practices which are not illegal, but are unfair to consumers.

I asked genial Charles R. Thurber, the BBB's Executive Vice President, if he thought the BBB could enforce Fair Packaging and Labeling, or induce peanut butter manufacturers to put more peanuts and less goop in their product, or get breakfast cereal manufacturers to lay off brainwashing children in their TV advertising. He replied, with a slight frown, that he didn't think this was the BBB's business. There in a nutshell is the problem. If the business practice is widespread, difficult or too controversial, it will never be the BBB's business.

It can not, alas, be assumed that governmental agencies necessarily fill the gap. First, there are so many that few people

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# PG&E's big blackball

The Guardian's news and editorial campaign for public power and against PG&E's illegal private power monopoly in San Francisco is now about a year and a half old.

It has been publicly challenged by PG&E's maneuver to get the Guardian banned from this year's San Francisco press club awards contest, (see On Guard), and by Dick Alexander's pro-PG&E series in The Examiner on July 30/31. So: we thought it necessary to detail The Guardian's campaign and present a point by point rebuttal of the PG&E/Alexander/Examiner line.

1. The Guardian in March, 1969 ran a story by J.B. Neilands ("How PG&E Robs S.F. of Cheap Power"), outlining in detail the Hetch Hetchy scandal and how PG&E for 45 years blocked public power for San Francisco in violation of the public power mandates of the Raker Act. It told of the strenuous efforts by PG&E and its allies, the Chronicle, Examiner and other conservative business interests, to preserve PG&E's illegal monopoly in San Francisco by defeating eight consecutive bond issues to buy out PG&E and set up a municipal power system. It showed how San Francisco now loses a minimum of \$30 million a year in profits by not having a publicly owned electric distribution system.

2. In September, 1969, we disclosed the attempt to sandbag the city charter's mandate for the public ownership of all public utilities by the 1969 Charter Revision Committee (P.L. Petrakis, "Make the Charter Modern--Efficient Even--But Don't Ruffle PG&E").

3. In February, 1970, we detailed the collusive PG&E/SF arrangements that dissipate the city's Hetch Hetchy power outside San Francisco, and we contrasted the sorry economic performance of the Hetch Hetchy project with that of the public systems to which it is forced to sell power. (P.L. Petrakis, "S.F. Power--In the Great Tradition of Abe Ruef and Candlestick").

4. On April 14, 1970, P.L. Petrakis, Guardian utilities editor testified before the San Francisco PUC and persuaded commissioners to order a feasibility study to buy out PG&E's electric distribution system so San Francisco could at last enjoy the benefits of its own cheap electricity.

The next day, the Examiner said nothing about the PUC's historic move against PG&E, the first in 29 years on this public power issue, even though Reporter George Rhodes had interviewed Petrakis after the meeting and turned in a separate story. The Chronicle reported nothing.

5. On June 8, 1970, Petrakis testified before the Board of Supervisors and urged the board to take no action to raise Municipal Railway fares until the PUC's feasibility study was completed. It might then be possible, he argued, to use earnings from the sale of electricity to subsidize the Muni and maybe even lower the fares. His arguments weren't reported.

6. In late July, the Guardian learned the Awards Committee of the San Francisco Press Club--dominated, it turned out, by Larry McDonnell, PG&E's top public relations man--banned the Guardian from this year's competition for the "Pulitzer of the West" award.

7. On July 30 and 31, the Examiner finally came out with two prominently displayed and lengthy articles on the acquisition study. They were written by Dick Alexander, first vice-president of the Press Club. They could have just as well been written by PG&E's McDonnell. (See analysis below.)

8. To this date, nearly four months after the PUC initiated its study, Chronicle readers have not been told the city is considering buying out PG&E.

Alexander's stories presented figures on Hetch Hetchy power distribution (40% to the Turlock and Modesto Irrigation Districts, 22% to San Francisco municipal services, 38% to out-of-town industrial accounts), which could only have come from the Guardian.

The percentages represent a six-year average, available from no other published source, and Petrakis tabulated billions of kilowatt-hours to get them.

The point is that, though the Examiner used the Guardian as a resource, it failed to mention these more crucial revelations:

1. Our discovery, based on annual reports from the Turlock and Modesto Irrigation Districts and the Hetch Hetchy Project, that the

districts make more profit by retailing just a portion of our Hetch Hetchy output over their publicly-owned electric systems than we make by wholesaling the entire output.

2. That with these earnings, the districts subsidize the free distribution of another utility--irrigation water.

3. That district residents--urban and rural--pay 24% less, on the average, for electricity than do the residents of San Francisco, and they use our power to do it.

4. That, even with the water subsidy and the lower rates, the districts still have millions of dollars left over for surplus.

5. That these benefits the districts enjoy are made possible by a huge capital investment by the people of San Francisco.

6. That the districts bought out PG&E's local distribution systems in the 1920s when San Francisco defeated its first bond issue. The result: their residents are able to buy cheap Hetch Hetchy power while its original owners, the people of San Francisco, cannot because they have not followed the mandates of the Raker Act and their own city charter and bought out PG&E.

7. That the people of San Francisco, under the Raker Act, have priority on Hetch Hetchy power and can take practically all of it, as soon as they establish a public power distribution system.

8. That San Francisco loses at least \$30 million a year in profits by leaving electrical retailing in the hands of PG&E.

9. That this \$30 million annual profit could provide the city with a generous tax subsidy to help keep taxes down, subsidize the Muni, pay for desperately needed city services.

10. That San Francisco now must pay PG&E \$2 million a year for wheeling city power from Newark because the city, under mysterious circumstances worthy of chronicling by Lincoln Steffens, never completed the last 35-mile link of its transmission lines from Hetch Hetchy.

11. That PG&E "assigned" some of its out of town industrial customers to San Francisco, to provide a way for San Francisco to dump its excess power and to prevent public clamor for a publicly-owned system to distribute it here.

12. That these large industrial users (in Contra Costa, Santa Clara, San Joaquin, and Stanislaus Counties), taking 38% of San Francisco's power, do not employ San Franciscans and pay no San Francisco taxes.

13. That it was understood by congressional opponents and proponents alike that power generated at Hetch Hetchy, as a result of the Raker Act's grant of land in Yosemite National Park, would be delivered to the people of San Francisco through a publicly-owned distribution system.

14. That the U.S. Supreme Court in 1940 declared that the intention of the Raker Act was to provide municipal water and power for the consumers in San Francisco.

15. That the Raker Act, passed at the insistence of San Francisco in 1913, does not exist in a vacuum, but is the expression of our general charter policy on public utilities--that all such utilities shall be "gradually acquired and ultimately owned" by the city.

16. That the major piece of unfinished business under charter policy is the acquisition of a municipal electric distribution system for Hetch Hetchy power.

17. That this charter policy (Section 119) has so far resulted in the acquisition of a municipal transportation system, a municipal water system, a municipal sewage system, a municipal street system, a municipal airport, a municipal parking system and a municipal power generating facility.

Naturally, the directed verdict from PG&E/McDonnell/Alexander is "not feasible."

As the latest attempt to sandbag public power for San Francisco, this requires a point by point rebuttal.

**The Examiner:** "...if PG&E were to go out of the electric business and serve only gas here, more than half (of the \$9.5 million the company pays in local taxes) would not be paid to the city. It would have to be made up by higher taxes on others."

**The Guardian:** This is outright obfuscation. Contrary to the PG&E/McDonnell line, the company is not a taxpayer. It is a tax collector.

—Continued on page 22

## THE SAN FRANCISCO BAY GUARDIAN

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"It is a newspaper's duty to print the news, and raise hell." (Wilbur F. Storey: Statement of the aims of the Chicago Times, 1861.)

Editor and publisher: Bruce B. Brugmann

Managing editor: Roger Henkle

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City editor: Creighton H. Churchill

News and features: Wilbur Wood

Environmental editor: Robert Jones

Poetry editor: Bill Anderson

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News staff: Douglas Dibble, Julia Cheever, Steve Weeks, Marsha Berzon, Sheila Grinell, Meg Gresh

Art editor: Marion Dibble

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Staff photographer: Tony Rogers

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Business manager: Paul Sherlock

General manager: Printer L. Bowler

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Annette Creel.

## Comments & Letters

To the editor:

Your researcher who included Syntex, Zeecon and Alza Corporations in the compilation of "Twenty-Three SIP Firms Get Millions in DOD Grants," fattened the list unfairly at the expense of these three Palo Alto companies. These firms are not at all defense-oriented.

On the contrary they are working in areas (population control, non-toxic pesticides, safer and more effective medicines, etc.) which have potential for vast human betterment.

Syntex makes birth control pills and medicines for skin diseases. The U.S. government does buy some of its medicines for distribution abroad via A.I.D. and for use by government personnel including members and ex-members of the armed forces.

Including health-sustaining medicines in your DOD list seems to be stretching the military-industrial complex so far out of shape as to be almost unrecognizable.

Zeecon, also located in the Stanford Industrial Park, evolved out of research at Syntex in insect hormones. Zeecon is developing novel ways of controlling destructive insects without the well-publicized disadvantages of conventional pesticides. Its research includes the development of synthetic versions of the natural substances which control reproduction and growth in the insect.

These are non-toxic materials which are not harmful to other life forms. Although ecologists are backing this effort by Zeecon, the Pentagon has not given the slightest indication that it wishes to zap any insect populations here or abroad! Zeecon has no DOD business, therefore, and expects to have none.

Alza is another company in the Stanford Industrial Park. It is now independent of Syntex since Syntex distributed to its shareholders all of the Alza stock it formerly held. Alza scientists are working on sophisticated new drugs and novel ways to administer these potent medicines which will result in safer and more effective drug therapy. Alza has no DOD business either.

Another point is that none of these three research-oriented commercial organizations even receive government money for their scientific programs. This is remarkable in view of the admittedly widescale federal funding for research in this country.

This makes your inclusion of them in the list even more preposterous.

Finally, putting Carl Djerassi in the dramatis personae of the Bay Area's Military-Industrial Complex is outrageous as anyone knows him even casually will instantly recognize. His active involvement in peace, environmental, cultural and other humane causes is well known in the Bay Area.

To imply that he is involved in the development or production of weapons of warfare is not only an untruth but an injustice which should be promptly corrected in your newspaper.

FRANK KOCH  
Director of Corporate  
Public Relations, Syntex

Eds. note: The Guardian accepts Frank Koch's explanation of Syntex products and peaceful research with but one important reservation:

The reason we included Syntex in our industrial park grouping was because it was, indeed, one of "Twenty-three SIP firms" to get "millions in DOD grants." According to the Department of Defense, Syntex got \$924,000 in DOD grants in fiscal year 1969.

It was our policy to list all SIP firms and divisions, as well as other prime California DOD contractors, getting money from a Department of Defense conducting the war in Vietnam.

• • •

We regret an unintentional deletion in a letter from Gerald Cauthen, President, Telegraph Hill Dwellers (Apr. 17, 1970, "On the Waterfront," p. 9). The paragraphs read in full:

The tragedy of the Masterplan lies in the fact that it is already on the way to becoming a meaningless promise. One example will suffice: The Masterplan stipulated that in the Ferry Building area, development should 'preserve the dominance of the Ferry Building' and that heights 'should not exceed 84 feet'. Even this height 'should be permitted only if development enhances the Ferry Building and view corridors.'

The ink on the Masterplan was barely dry when the Planning Commission (in contradiction to the recommendations of its staff) violated its own plan: building heights of 400 feet were now allowed immediately south of the Ferry Building, for the benefit of the US Steel complex.



# WASHINGTON REPORT

Eleven No. Calif. public power cities defy PG&E

By Tiffin Patrick

WASHINGTON--Eleven California cities have defied the Pacific Gas & Electric Co. and renewed their application for an independent power supply study that was blocked by PG&E lobbying earlier this year. (See April 17 Guardian.)

The cities, all of them small Northern California municipalities that now furnish cheap, city-owned electricity, are looking for alternative power sources to meet an anticipated doubling of demand by 1985.

PG&E lobbyists here, who candidly concede they would prefer the cities to purchase additional power from PG&E, last March successfully opposed a \$125,000 loan for the study from the Department of Housing and Urban Development (HUD).

Lobbying through electric company trade associations,

PG&E contended that the study would set "a dangerous precedent" for federal assistance to municipal power systems. Despite support for the grant from several Northern California congressmen, HUD unceremoniously rejected the application.

Now, the cities have reapplied in a letter that eschews the legalese HUD is fond of and pinpoints the reason for the denial.

"We do not feel that it was the intention of your department to be unduly influenced by 'political pressures' in making a determination as to whether or not a loan application, obviously in the public interest, should be approved or denied," R.W. Cowden wrote HUD Asst. Secretary Samuel C. Jackson.

Cowden is city manager of Redding and secretary of the Northern California Power Agency, an organization formed by the 11 cities to make the application. The cities, which presently serve some 340,000 customers with electric power, include Alameda, Biggs, Gridley, Healdsburg, Lodi, Lompoc, Palo Alto, Redding, Roseville, Santa Clara and Ukiah.

F. Sisk (D-Calif.), any time to debate it."

The House reform bill was big news across the country in late July when a bi-partisan coalition added an amendment that would virtually end the House practice of deciding on unrecorded votes key issues such as the anti-ballistics missile or Indochina War spending.

Anti-war groups discovered last May that in many cases it was impossible to find out how their congressmen had voted on these issues. They subsequently provided the impetus for reform long sought by progressive congressmen on both sides of the aisle.

But although the amendment was added to the bill, the reform measure itself has been landlocked on the floor by McCormack's refusal to allow debate on it. Since the House is in recess from Aug. 15 to Sept. 9, final action now appears doubtful on the legislation.

Sisk himself is a conservative who only reluctantly accepted the recorded vote amendment. But most congressmen agree that Sisk has presented the reform bill in a competent and fair-minded manner and that he has been given very short shrift by the leadership he usually supports.

## Incidental intelligence

Speaking of stalling, the 1925 treaty against chemical-biological warfare that President Nixon announced he was sending the Senate eight months ago is still held up in the White House. At this writing the President's men are attempting to determine whether American use of herbicides and tear gas in Vietnam is covered by the treaty....

The bi-partisan organization known as Members of Congress for Peace through Law has prepared a 150-page study on the defense budget in an attempt to cut \$1.3 billion from the \$19.2 billion military procurement bill. The study actually indicates the bill could stand cutting by an additional \$3 billion....

The Newspaper Preservation Act had as little private respect from House members as it had their public support--but it took real courage to oppose it. This courage was conspicuously displayed by California's two newest congressmen, John Birch Society members John Rousset of San Marino and John G. Schmitz of Santa Ana, whose district includes the Nixon residence at San Clemente... Another who opposed the bill was Rep. Thomas Rees (D-Los Angeles), original co-sponsor. "Nobody asked me to vote for it and so I didn't," says Rees with a smile.

## Losing legislation

The practice of "losing" legislation in committee is as old as Congress, but the House leadership under retiring Speaker John McCormack (D-Mass.) has accomplished the more unusual task of misplacing an important bill on the House floor.

Not that the legislative reorganization act which would curb some of the despotic power of House chairmen and, in general, allow a greater say for rank-and-file members is lost exactly. It's just that McCormack won't give the measure's floor manager, Rep. B.

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By Julia Cheever

"Don't Iron While the Strike is Hot" is the theme women in Buffalo have chosen for their demonstration on Aug. 26--the day women across the nation are going to parade, demonstrate, celebrate and strike to commemorate the 50th anniversary of their right to vote.

The strike will dramatize women's current struggles--for equal rights, equal pay, abortion and child care--as well as the 20 year fight for suffrage that ended on Aug. 26, 1920, when Tennessee ratified the 19th Amendment.

In the words of Jean Crosby of the San Francisco Aug. 26 women's coalition, "We're delighted we can vote, but the battle certainly hasn't been won."

A national coalition of women's groups--the National Strike Committee of the Aug. 26 WOMEN'S STRIKE FOR EQUALITY--has opened a New York office to act as an information clearinghouse for demonstrations planned in dozens of cities. Regional N.O.W. (National Organization for Women) offices are coordinating local activities.

## Baby-in

Other Aug. 26 actions:

\*lobbying visits to legislators to demand support of laws for women's equality;

\*Freedom Trash Cans for disposal of instruments of female oppression--brooms, aprons, cosmetics and "maybe even a husband" says Betty Friedan, former president of N.O.W. and chairperson of the National Strike Committee;

\*demonstrations against religious institutions which do not ordain women;

\*a "baby-in" at City Hall in New York: depositing children in the laps of city fathers to dramatize the need for child care centers;

\*consumer boycotts by women.

The vigor of the anniversary seems dramatically appropriate, for it marks the rebirth of militancy in a women's movement that has lain dormant for five decades. When women won the vote, they thought their problems were solved. The momentum fizzled and the organizations turned into the League of Women Voters and the little-known Women's Party. Only in the past year or two have women organized with a militancy that resembles the movement of 50 years ago.

Bay Area actions on Aug. 26th include:

SAN FRANCISCO: a noon rally in Union Square with music and drama, speakers, literature tables and a puppet show for children. Sponsored by the Aug. 26th women's coalition. Jean Crosby explained that the rally would center on three demands:

- 1) equal work and equal pay, including the extension of protective legislation to all workers including men and guaranteed full employment (by means of a shorter work week if necessary);
- 2) free 24 hour quality child care centers, controlled by parents and funded by employers, universities and taxes on corporations;
- 3) free voluntary abortions on demand and no forced sterilization.

Jean emphasizes that "all women, women's groups and women's caucuses in unions and universities are invited." The local coalition was formed by women from N.O.W., San Francisco Women's Liberation, Independent Campus Women of SF State, several unions, women's caucuses of several political organizations and the Association to Repeal Abortion Laws.

The coalition has formally requested Mayor Alioto to declare Aug. 26th a special day and to give city employees a two hour lunch break so they can attend.

For further rally information, call 861-2114.

BERKELEY: noon march and evening celebration sponsored by the Berkeley chapter of N.O.W.

The march starts at noon at the School Board, to 1414 Walnut St., with presentation of a demand to recognize Susan B. Anthony Day.

In 1943 the state legislature established the suffragette's birthday, Feb. 15, as Susan B. Anthony Day. The law, currently ignored, requires all public schools and educational institutions to observe the day with suitable exercises and direct attention to the development of the political status of American women.)

The Berkeley march will continue down Shattuck Ave. to City Hall where women will demand higher positions for women, child care centers and better publicity for family planning agencies.

The evening celebration includes a party and two films on the suffrage movement: "Women Get the Vote" and "Susan B. Anthony," at 1715 Ward St.

For further information, call Erin Sullivan at 845-0550.

## A male bunny

PENINSULA: Local N.O.W. chapters and Palo Alto's women's liberation groups will sponsor a demonstration and skits at noon at Lytton Plaza in Palo Alto. Skits will feature Miss America, the Harried Housewife and a male dressed as a Playboy bunny.

In San Jose, women's liberation groups will leaflet along First Street at noon.

All groups will join at 3p.m. for further demonstrations and skits at the San Jose Civic Center. For further information, call Fran Thompson at 321-8197.

Some feminists outside the Bay Area advocate more militant actions. Last March Betty Friedan, outgoing president of N.O.W., called for a 24 hour general strike of all American women on Aug. 26. "I propose that every woman who is doing a job for which a man would be paid more--stop. We will make our voices heard."



# KENNETH REXROTH

'Nowadays, nobody believes you'

Writing about politics and social questions gets to be more and more of a bore. It's news of the class "DOGS BITE MEN!!"

Many years ago, in the heyday of Popular Fronts and United Fronts and Machiavellian Backs, the New Republic ran a questionnaire with statements like "Most men are either fools or rascals." "Western Civilization is declining." "There are no honest politicians." Some 20 of them that you were supposed to mark true or false.

If you marked them true, you were a Fascist. If you marked false, you were a liberal. Which is worse?

The liberals who believed Stalin's Russia of the Moscow Trials was the freest democracy the world had ever seen, or the 17% interviewed by the Chicago Daily News and Sun-Times survey in Charlotte, North Carolina, who believed that the moon landings were a Hollywood fake?

## Evidence!

I wonder if there is such a thing as evidence in politics at all? Thousands of Germans who were given proof that the handless Belgian babies of World War I never existed believe to this day that the films and testimonies of the horrors of the concentration and extermination camps were fakes and lies.

I wonder what an educated member of the American Communist Party really believes about the confessions of the defendants in the Purge Trials? All the world seems to believe Jack Kennedy was a liberal, and a man of peace, even the Russians, even the Chinese at least talk that way, although perhaps they are simply appealing to world wide sentimentality.

Everybody seems to believe it--except Castro. How many loyal Democrats believe Edward

Kennedy's story of his aquatic adventures? How many people believe the Warren Report? How many people believe Garrison?

Meanwhile, a new World Economic Crisis looms on the horizon, provoked by exactly the same policies as brought on 1929. A Third World War draws nigh, for the same general reasons as World War I or II, or for that matter, the Napoleonic Wars, or the Thirty Years' War.

Western Civilization dies of the same avoidable or curable diseases that have destroyed all the others. Individual experience is the worst of all teachers, but a nation's and people's history is even worse. An appreciable number of the world's statesmen in the past 2,000 years have read Thucydides' Peloponnesian War.

If they were capable of learning anything, most of history since the book was written would never have happened. The same goes for Ibn Khaldoun or Ssu-ma Ch'ien or Gibbon.

## SF's slow death

San Francisco is going through, step by step, the political and social processes that led to the slow death of Chicago between 1925 and 1935. In fact, the disease is pretty well advanced.

San Francisco, like Chicago, is becoming proud of its crime rates, its drugs, its boy prostitutes, its clip joints, proud of the fact that it is a city in the grip of the Organization.

Herb Caen gets more like Karpis every day. I get tired of being a Cassandra and a Jeremiah, but you have no choice if you write about politics. Nobody believed them when they said what was going to happen.

Nowadays, nobody believes you when you say what is happening and has happened. Lo-

cal, national and international political writers and foreign, and war correspondents are forced to be mythographers.

If a case-hardened, wise and experienced journalist in one of those categories got up in an auditorium before an educated audience and told them how it really is, the American Civil Liberties Union would holler "Copper!" and have him hauled off the stage by the men in white as a dangerous lunatic, yet it's the same the whole world over, the same old story.

## The great dead

Maybe I should start writing about culture and general ideas and the wisdom and beauty handed down from the Great Dead. Why should I use my brain to spin out sarcasms about evil fools? Why spend precious words and time in the latter years of life insulting Nixon, Agnew, and Mitchell?

Their very existence is an insult to me. A gentlemen is above insults, even when the insult is an embodied demonstration that the human race is a failure.

That old paradox-monger Gilbert Keith Chesterton once said that "news" should be published annually in a not too large yearbook, and the daily papers should be taken up with great ideas and beautiful literature of the present and past.

I think he was right. We'd be so much better off if we learned about human folly a year late. The only trouble is, folly today creates, every minute, the most drastic emergencies.

It may be better for your peace of mind, but certainly not for your safety, to know after a year that somebody has a pistol pointed at your head and is about to pull the trigger.



## Guardian Sues SuperChron



Guardian publisher Bruce B. Brugmann (center), SF attorney Charles Cline Moore (right), UC law professor Stephen Barnett (left) at the press conference announcing the filing of The Guardian's federal law suit on July 30 that challenged the constitutionality of the "failing newspaper act."

The suit seeks to strike down the new legislation and its special monopoly exemptions from the antitrust law for the Examiner and Chronicle newspaper monopoly, 44 newspaper monopolies in 22 cities and the "failing" companies of Hearst, Scripps-Howard, Cox, Newhouse, John Knight and the Mormon Church.

Defendants are the Hearst Corporation, publisher of the Examiner; the Chronicle; their joint publishing company, the San Francisco Newspaper Printing Co., Inc.; Randolph Hearst, chairman of the executive committee of the Hearst Corporation, and Charles de Young Thieriot, Chronicle publisher.

Plaintiffs are The Guardian, Brugmann and his wife, Jean Dibble Brugmann.

The suit may reach the U. S. Supreme Court as a major First Amendment case.

"What we find in San Francisco are not failing newspapers, but a couple of crybaby millionaire publishers," Brugmann said.

# KRON

-Continued from page 9-

greatest number since the hearing began on March 17"), that the session had been convened at 9:10 a.m. and ran past 5 p.m., and that Naumowicz had excluded some testimony as cumulative (with a quotation).

When Raudebaugh finally got to the witnesses, it was safe to assume not many readers were still around. His caution was not exhausted, however, for he placed the testimony of Sutton, the first and most important witness of the day, at the very end of the story, beginning in paragraph 26.

Along the way, he reported what Heald said after cross-examining Mrs. Streeter and bringing out that she had a lawsuit pending against Chronicle and that Moore was her attorney: "That is all," said Heald. (What Heald in fact said, according to the transcript, was "No further questions." But it takes an energetic PR man to make news out of either phrase.)

On April 2, the signals changed again, for the witness was another KRON stalwart--former news director William Cothran, brought here at KRON's expense all the way from Kenya.

Raudebaugh accordingly produced a newsy lead, stating that Cothran "testified...here yesterday that there was no suppression of news about the 1965 operating agreement between The Chronicle and the Examiner."

Let us recall that, when See on Mar. 25 admitted that he did "suppress" the merger story, it not only didn't make Raudebaugh's lead, but it wasn't reported at all. The principle thus emerges: a denial by a KRON news director is newsworthy, but an admission of the same conduct by the KRON president isn't worth printing.

(It turned out Cothran wasn't really disagreeing with See. Cothran shared See's unusual definition of "the facts" the KRON news department had to obtain before they could air the merger story. It was Raudebaugh who deserved credit for the denial of "suppression.")

On April 3, Robert Anderson was a crucial witness because he had written and produced the Vallejo documentary. Anderson testified that, after making a preliminary survey of Vallejo, he met with See and outlined his findings that there was "a great deal of community conflict" and a "scandalous political situation" in Vallejo.

He said he proposed KRON look further into the situation, "in order to do an honest program on the community..."

## Keep it positive

See replied, Anderson said, that "they had in mind a program to emphasize the positive aspects of the community of Vallejo."

When Anderson asked why, "Mr. See replied that KRON had an interest in the CATV license in the Vallejo area." Anderson's documentary did emphasize Vallejo's positive aspects, Anderson testified.

See himself, testifying earlier, had admitted meeting with Anderson, but denied Anderson told him there was a situation in Vallejo that ought to be exposed. While admitting he had told Anderson about KRON's CATV interest in Vallejo, See denied telling him the documentary should emphasize the positive aspects.

Anderson's testimony thus was not only damaging to  
-Continued on page 19

# JACK MORRISON

Reconstitution - of "great scope and moment"-

(Morrison taught a sociology course on "urban policy making" at San Francisco State College during the days of reconstitution last spring.)

It is hard now, only 12 weeks later, to recapture the electric

surge of anger and defiance that swept through our colleges near the end of the spring term.

In the Bay Area, a new quality emerged in this student response to the U.S. incursion into Cambodia and the killings on midwestern and southern campuses. It was a quality, not always evident in earlier rebellion, of looking beyond the immediate to the long run.

We will see in September how persistent and enduring this new quality is. My guess is that, after many fits and starts, the major battle between the students and the colleges has at last been joined. It is a battle over the curriculum, and it will probably be less violent and less spectacular than the encounters we have seen in the recent past.

Reconstitution was the order of the day. To be sure, much of it was superficial. Classes became forums for endlessly repetitive expressions of horror and condemnation. Unless they were experts on the issues, professors and students after a few hours exhausted their funds of relevant comment.

In some instances, classes were finished along traditional lines, and in some students won the right to engage, without penalty, in alternative activity that had anti-war application.

The special conditions of those days will probably not re-

cur. The hammer blows of events created a climate of moral crisis in which it was difficult to do serious academic work. To engage in ordinary study seemed perverse. Action, almost any action, seemed more appropriate.

There was a good deal of strike talk, but in the main it proved to be impotent. The cries of "shut it down" were muted, and few listened. Though many stayed away from classes, the effort seemed unorganized. The chief impulse to close the schools came from outside.

But the events triggered another idea that struck home to students: keep the colleges open and turn them into an instrument in the fight against the war.

In short, the issue of curriculum came alive and with it enormous potential for controversy and change. True enough, the demand for educational "relevance" is familiar and often-stated, but as a broadly inclusive issue it has not been systematically analyzed or squarely faced.

The argument against the colleges, though sometimes trivialized, is serious and consequential. The essence is that colleges are not illuminating the great issues of our age--war,  
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BOOKS



# JACK MORRISON

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racism, poverty and the degradation of the environment--but rather are content to be part of the gloomy institutional structure out of which these issues arise.

Students of course are not alone in their hostility, especially when the issue bears upon urban problems. Dr. Irving Lazar, a Los Angeles social psychologist, wrote recently about anti-poverty effort: "It is hard to think of any social institution less involved in the problems of poverty and community than the university."

And Clark Kerr has said that "today's urban universities are less involved in urban problems than they were in the 1930's. They are in the urban setting, but not of it."

The notion is hardly revolutionary that the college should be not a sanctuary or a cloister, but a functional part of the urban community. But it is curious to see how little has been done from either side to bring about the union.

Students today insist that much should be done, in the interest of their own career plans as well as in the interest of the whole society. Why shouldn't the curriculum be extended into the

community? Why shouldn't the community be at home on the campus?

It used to be that, if a person wanted to be a lawyer, physician or businessman, he spent much of his learning time as an apprentice. Perhaps this concept of training needs more investigation today. It might work in two directions, providing access to the community for students and access to colleges for persons in the community who are now denied opportunity.

## Marking time

I find many students these days feel they are wasting time or at best marking time during college. They go through the formality of getting a bachelor's degree to qualify for a certain job, then their real education will begin when they start work or when they study for an advanced degree in a special field.

I am convinced that, if a young person wants to be a city planner or an architect, for example, he ought to spend at least half his training time working for a city planner or an architect. He ought to be somehow accredited for the apprenticeship.

Present internship programs are a sorry substitute for paid work in the field, where the learner would have regular employment status. Interns are usually tolerated, given make-work assignments and barred from doing the real work.

The most convincing job of reconstitution I saw last spring occurred at the U.C. College of Environmental Design in Berkeley. It developed a fairly successful program by redirecting the subject matter of study and projecting it outward into the urban community. Students sought a joint educational ex-

perience of the university and the community, related their anti-war position to city problems and called for a new order of priorities in the expenditure of national resources. They took their case to local, state and federal agencies throughout the Bay Area.

## Joint program

Students and faculty jointly worked out the program. It had coherence and method that were perhaps rare, though Berkeley's law school and business schools were also notably active.

How much significance is it safe to ascribe to the phenomenon of reconstitution? Was it simply an odd and unusual event, a part of the general hubbub of those days of tension? It seems to me unlikely that it was only that. It was a key incident, I believe, in a process of great scope and moment.

At all events, U.C. students said quite explicitly that their brief effort was part of a larger plan, that they were looking ahead to the fall, when they would raise the issue again. The traditional bureaucracies will react sharply, as they have already.

But the times are with the students, and they are correct on the main issue--the need to reform the curriculum in a way that will break down the walls that isolate companies of scholars and their rightful constituencies.



# WATCH DOG

-Continued from page 14

ple know where to hawk their particular problem. If you think you have been defrauded, do you go to the police, the District Attorney or the State Attorney General?

If you buy a mouldy piece of meat, do you complain to the City Health Department, the State Health Department or the Food & Drug Administration? (See box to find out!)

More important, no agency I spoke to had the legal power to get people's money back, or a replacement product, though many often do so by friendly negotiation. No public agency will normally undertake lawsuits for private individuals.

Even the District Attorney and the State Attorney General only sue on behalf of the people of San Francisco or of the State of California.

Hence the damages, if any, go into the public treasury, not back to the wronged individual--unless the judge happens to award damages as a condition of probation.

If help is to be forthcoming, consumers must do a good deal more in their own defense--and do it fast, since the Government Services Committee may vote soon on the Consumer Counsel.

Quite apart from the business opposition to the proposed Office of Consumer Affairs, the danger is real that the Supervisors will either veto it entirely for reasons of expense, or fund it so skimpily that it will be hard to operate.

The proposed budget is a mere \$85,000 for a staff of four. If it came to a tax increase, this would work out at only 12¢ a head--a mere trifle compared to the thousands of dollars the office would likely recover for consumers.

However, half a loaf is still better than no bread. Once the Office got started, it could possibly get more funds from the city. Reinforcements would come if the ACC succeeds in getting Economic Opportunity Council funds to train neighborhood consumer counselors, plus work study funds to employ part time law students.

Another danger is that the City Attorney may decide that the subpoena power provisions violate the City charter. It seems incredible that such a technicality could prevent San Francisco from following the lead of Santa Clara and the other cities with strong Consumer Affairs Offices. It would also seem incredible if the City Attorney could decide against subpoena power, yet be able to live comfortably with the unenforced charter provision that the city is to have public power.

Should this be his decision, however, the Government Services Committee will then probably veto the ACC proposal and leave us at best with the watered-down BBB proposal.

Letters supporting the tough ACC proposal should go at once to the three members of this committee, particularly to Ertola, the chairman.

## Where to go for help

### ATTORNEY GENERAL'S CONSUMER FRAUD DIVISION (state)

350 McAllister, SF, 557-2828 (8:30-5p.m., Mon-Fri). Call, then request a complaints form. Jurisdiction: consumer fraud cases throughout the state.

### DISTRICT ATTORNEY (city)

Hall of Justice, SF, 553-1835 (8:30-5, M-F). Call or write. Jurisdiction: consumer cases of a criminal nature, e.g. fraud, false advertising, misrepresentation, in San Francisco. Either the company must be located here, or the transaction have taken place in the city.

### FEDERAL BUREAU OF INVESTIGATION

450 Golden Gate Ave., SF, 552-2155 (8:30-5, M-F). Jurisdiction: fraud in interstate commerce, i.e. transaction took place outside California, or the person accused has skipped the state.

### FEDERAL TRADE COMMISSION

450 Golden Gate Ave., SF, 555-1270 (8:30-5, M-F). Jurisdiction: false and deceptive advertising, price fixing, "bait and switch" selling; labeling of wool, fur and textiles; flammable fabrics. Only covers products sold in interstate commerce.

### FOOD & DRUG ADMINISTRATION

50 Fulton St., SF, 555-2062 (8:30-4:30, M-F). Jurisdiction: content, packaging, labeling and performance (including safety) of food, drugs, cosmetics and household products sold nationally.

### INTERSTATE COMMERCE COMMISSION (federal)

450 Golden Gate Ave., SF, 556-1392 (8:30-4:30, M-F). Jurisdiction: all forms of interstate transportation. In practice, has no jurisdiction over loss and damage incurred by the public.

### \*POLICE

1. Your local police station, any time. 2. Fraud Detail, #454 Hall of Justice, SF, 553-9111 (8:30-5pm, Mon-Sat). Jurisdiction: consumer cases of a criminal nature, e.g. fraud, bunco, embezzlement, phoney charitable solicitations.

### \*POLICY SERVICES BUREAU (state)

1407 Market, SF, 556-3646 (8:30-5, M-F). Jurisdiction: handles any complaints on any insurance policy from any company admitted to do business in California (all the major companies)

### \*POST OFFICE

Postal Inspector in Charge, PO Box 367, SF, 556-2098 (8:30-5, M-F), or your local postmaster. Jurisdiction: consumer frauds involving mail transactions, i.e. where their solicitation or your money went through the mails--e.g. real estate sales, franchises, contests, advertising, sales of merchandise, magazines.

### PROFESSIONAL AND VOCATIONAL STANDARDS (state)

30 Van Ness Ave., SF, or 1021 O St., Sacramento. Will refer enquiries. Division of Investigation, #2100, 30 Van Ness Ave., SF, 557-2046, handles complaints against doctors, dentists and other medical personnel.

### PUBLIC HEALTH (city)

Has five district health centers (check the phone book), (8-5, M-F). Jurisdiction: complaints about food (wholesomeness), garbage, sanitation, and sanitary conditions in restaurants and markets.

### PUBLIC HEALTH (state)

30 Van Ness Ave., SF, 577-1860 (8:30-4:30, M-F). Jurisdiction: Food & Drug Inspections Bureau handles wholesomeness, quality and safety of food, and the quality, safety and effectiveness of drugs manufactured and sold in California.

### PUBLIC UTILITIES COMMISSION (state)

350 McAllister, SF, 557-0350 (8-4:30, M-F). Jurisdiction: information and investigation on complaints about service or charges of telephone, gas, electric and water companies, plus moving companies and other carriers operating in California.

### REAL ESTATE BOARD (state)

350 McAllister, SF, 557-3953 (8-5, M-F). Jurisdiction: fraudulent sales of real estate (land, buildings).

### \*TV AND ELECTRONIC REPAIR DEALER REGISTRATION BUREAU (state)

30 Van Ness Ave., SF, 557-1446 (8:30-4:30 M-F), and the head office, 1020 N. St., Sacramento. Call and ask for a complaint form. Jurisdiction: fraudulent repair of TV sets, radios, tape recorders, phonographs e.g. work not done, parts replaced unnecessarily.

### \*WEIGHTS & MEASURES (city)

#6 City Hall, SF, 558-4912 (8-5, M-F). Jurisdiction: faulty scales and gas station pumps, and all kinds of short-weighting.

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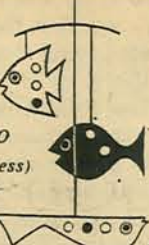
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# KRON

—Continued from page 17

KRON, but it set up a direct conflict in which one man or the other had to be lying, one of the rare times this occurred in the entire case. And one of the men was the president of KRON.

This should have made one of the bigger news stories on the hearing. But it didn't. Both papers played the conflict way down. And both pulled out all stops to de-emphasize and discredit Anderson's testimony.

The Chronicle produced the standard funeral rites: the headline read "Final Witness Against KRON," the first three paragraphs said nothing about the content of Anderson's testimony, and the conflict was treated simply by saying See "had denied Anderson's story in advance."

Raudebaugh then devoted 10 paragraphs of the 19-paragraph story to Heald's cross-examination of Anderson. It should be noted for later reference that the cross-examination happened to involve a tape recording made by Anderson, and the story emphasized this fact, though nothing on the tape was claimed to contradict Anderson's testimony.

## More ruthless

The Examiner stories (April 3, 4) did an even more ruthless job on Anderson. The Chronicle's burial techniques were adopted, with neither headline nor lead referring to the content of Anderson's testimony. ("Last Witness in KRON Hearing" and "KRON Case in 2nd Phase," the headlines ran.)

Anderson's conflict with See was avoided by describing Anderson's testimony as, in part, a "routine recitation," by not reporting the portion of Anderson's testimony which contradicted See as to the conversation between them, and by not reporting the fact of the contradiction either; and by stating, about the alleged CATV motivation for the documentary, that "See has flatly denied this motivation under oath" (as if Anderson's testimony were not under oath).

The Examiner in its April 4 editions then went to work, as the Chronicle had, on Anderson's cross-examination.

In seven paragraphs, the Examiner three times attributed to Anderson "concessions"—e.g., "Heald finally won from Anderson this concession"—none of which, in fact, could accurately be called a concession and none of which were relevant to the thrust of the testimony on direct. For good measure, the Examiner threw in a paragraph quoting Heald in an attack on Anderson.

## Hart's denial

The difference between a pro-KRON and an anti-KRON witness was well demonstrated a few days later, April 7, when KRON newsman Ed Hart testified for the station. Raudebaugh's Chronicle story the next morning—Raudebaugh himself had testified for KRON the same day—carried a crisp headline ("KRON Newsman Deny Restraints") and a lead to the same effect.

The second paragraph dealt with Hart's testimony on KRON coverage of the 1968 newspaper strike: "One of the men, Ed Hart, denied emphatically a statement attributed to him by Al

Kihn, a former cameraman, that Hart had said, 'we're going to write it pro-management'." (KRON denials tended to be "emphatic," when they were not "flat" or "under oath.")

The story devoted some 10 paragraphs to Hart's testimony on direct, all of it pro-KRON, and—in an instructive contrast to Anderson's treatment—not a word to the cross-examination.

But Hart was cross-examined. It took place the same day as his direct testimony and it happened to involve a tape recording, just as Anderson's questioning had. Kihn had taped Hart saying the things Kihn attributed to him, including the statement that "we're going to write it pro-management."

On direct examination, Hart denied making this statement, as Raudebaugh reported. But on cross, with Moore quoting from the tape, Hart was again asked if he denied making the statement. "No," Hart replied. The Chronicle's triumphant report

that Hart had "emphatically denied" the statement was thus simply untrue.

Ludlow's coverage was similar. He reported that Hart had testified "he was never once instructed to write 'pro-management' accounts of the 1968 newspaper strike." The Examiner, like the Chronicle, did not mention Hart's cross-examination. (Hart has since filed suit against Kihn for allegedly making the tape without his permission.)

Examiner/Chronicle coverage of testimony by subsequent KRON witnesses followed the same pattern. On April 9, for example, the KRON general manager, Aldo H. Constant, took the stand to deny, among other things, the conversation with Evan White testified to by Frank Sutton.

Whereas Sutton's testimony had been buried at the bottom of the Chronicle story, Constant's denial was now featured in the headline and lead. The April 10 lead had Constant saying the conversation "did not take place because it could not have taken place," since "I was on a business trip to New York at the time."

The Examiner on April 10 similarly reported, at some

length, Constant's "emphatic denial" based on his trip to New York. (Ludlow shared Raudebaugh's appreciation of whose testimony was "emphatic" and whose wasn't.)

## Not so emphatic

The next day, however, Constant returned to the stand to retract his statement about being in New York at the time of the alleged conversation.

He still denied the conversation, but now admitted he had returned from New York three weeks before its date. Constant's retraction, this time not "emphatic," was buried at the bottom (paragraph 28) of the Chronicle story on April 11. It was never reported in the Examiner.

The receptive, respectful attitude toward KRON witnesses reached its apogee when Charles Thieriot, Chronicle publisher, was on the stand. Both papers were well-nigh worshipful, in the manner of society writers.

Ludlow even reported that Thieriot does not consider See a personal friend "in the sense that we go to each other's houses or entertain each other."

The one-sided treatment was

particularly conspicuous on the legal and economic issues involving the Chronicle-Examiner combination.

Both papers ran on, for example, with testimony by Thieriot and Randolph Hearst about the precarious financial condition that supposedly forced them into their monopoly agreement. But neither reported the profit of \$3 million which, as noted in the story on page 8, was raked in by the Chronicle -- and matched by the Examiner -- on newspaper operations in 1968. Facts like that might take the edge off the cry of poverty.

And neither paper reported an interesting memorandum about Chronicle/Examiner ad rates, which went up sharply after the 1965 merger and have gone up three more times since. The memo was written in March, 1966, by Wells B. Smith, head of the jointly owned Newspaper Printing Company, to the two publishers.

Smith wrote that "a failure of the circulation to improve substantially by September would virtually preclude rate increases this year," since "under the cir-

—Continued on page 23

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By Alan Wofsy

What could be deadlier than the expression "better things, for better living through chemistry?" The hero of the piece remains the same, viz., nutrition. But the villain has changed. Remember Jack Ripper from "Dr. Strangelove?" Well, even though he dug A bombs, he was right about that pure water. Any organic bread maker worth his salt (sea salt to be sure) will trace the pedigree of his ingredients. And the water he mixes with his flour (from his brother Hank's non-sprayed wheat ranch in Idaho) will not be from the corrupted city's supply, but from this secret artesian well.

Now that America has been rendered germ free, we've got to get rid of those chemicals. They're omnipresent and just waiting to destroy your system. We've got to make America truly pure, for purity plus nutrition yields salvation.

The natural food movement is more religious than gastronomic. Religions are expensive propositions, and organic foods are no exception. The foods sold in natural food stores average 50%-100% above their counterparts which are not sold in organic shops. High prices are due in part to low volume. The oldest and largest of the natural food stores in the Bay Area, The Food Mill, 3033 MacArthur Blvd., Oakland, does in fact have more reasonable prices than its smaller competitors.

The Food Mill does its own baking and makes its own nut and peanut spreads (or butters). On the other hand, New Age Natural Foods, 1326 Ninth Ave., SF, the second largest operation in the Bay Area has rather high prices, even compared to smaller shops. New Age was recently selling dried, unsulfured apricots at 85¢ the half pound. On the same day, dried, unsulfured apricots could be had at the S.F. Farmers Market, 100 Alemany Blvd., for one-half that price.

In general, the quality of produce at natural food stores is quite low. Their supplies must be sporadic. At the same time, the shopkeeper has to be more discerning in buying fresh produce than of packaged or dried foods. There is no legal test for using the term "organic" when applied to produce or other commodities. The S.F. Farmer's Mart has fairly rigorous controls over the use of the term by those renting stalls. Stalls are assigned to growers who are supposed to sell what they themselves grow. Among the natural food stores, The General Store, 5th & Junipero, Carmel, seems to take the greatest interest in its fresh produce.

Several people are baking bread for the organic market. Giusto's of San Francisco, 420 Fulton St., has been baking bread and cookies for the traditional health food market (diabetics, dieters, invalids etc.) for some time. It has easily moved into the natural foods market with such breads as sunflower, corn chia, 7 grain and wholewheat. The principal ingredient is whole wheat from Deaf Smith County, Tex. The favored breads featured in natural food stores are produced by The Magic Hearth in Carmel Valley.

These breads are about as dense as lead. They are chiefly composed of whole wheat flour. The Aztec corn bread has cornmeal, the rye has caraway and sesame, the Holy has alfalfa and various seeds, the Flowers has dates and several seeds, and the Exodus is made entirely of cracked wheat.

Organic food stores are springing up rapidly. In general, they all carry the same lines. Rather than mention specific shops, I'd like to discuss some items which are carried. Honey is ubiquitous, sugar a no-no. Fred Rohe, spokesman for the trade organization Organic Merchants (OM), has written that sugar of whatever color will not be carried by a member of OM. The reason, he says is that sugar has no food value and is harmful to the body. According to the USDA publication, "Composition of Foods, brown sugar has greater over-all nutritional value than either honey or maple sugar. Both these sweeteners are significantly more expensive than brown sugar.

Honey is consistently labeled in a misleading manner. Almost every bottle will assure you that its honey is uncooked, unfiltered, raw and organic. None of these terms are defined by the law. To get a U.S. grade, the honey must be strained so that bee particles, dust, and wax are removed.

Since honey does not flow readily at room temperature, it is heated. The higher the heat treatment the more readily will the honey flow. In sum, if you want nature's honey, untouched by human devices, look for the word "unheated." Then again, since words are used loosely in natural food stores, test the honey. It is probably raw if it is almost solid and contains visible foreign particles, i.e., is not clear.

Fertilized eggs are now being sold at a 50% premium. Buyers could save money by purchasing non-fertilized eggs and rooster sperm, since the only difference between the two eggs is the presence of inert sperm. There is no proof the egg has been fertilized unless you see a blood spot, which occurs about three days after fertilization provided the egg hasn't been cooled below 85 degrees. Fertilized eggs originally went out because consumers didn't like the sight of blood spots. The development of the embryo in fertile eggs produced for consumption is stopped by cooling before the blood spot appears.

Natural food stores are selling raw milk where local health ordinances permit. Two local brands are generally carried. Miller's of Sebastopol and Stornetta's of Sonoma. All of Miller's comes from his own herd of Ayrshires, and the milk is available in glass. Stornetta's milks its own Guernsey's and has no glass.

Other producers of raw milk in the area include Canyon Dairy of Martinez and Drink N Tell Dairy of Napa, which has both raw cow and goat milk and the Pittsburg Dairy Drive-In. Raw milk is not being distributed to natural food stores in an efficient manner. Cow milk costs 27¢ per quart and goat milk, 50¢ at the mentioned dairies. The price should be only slightly higher at the retail end.

Adaptation/Next, The Tempest, The Tavern (ACT) Zorba (Civic Light Opera) Stanford Summer Festival

"Adaptation/Next" is both a shame and a triumph for the ACT. It shames all the regular ACT directors who have tangled with comedy for three years, and it is a triumph for six ACT actors who demonstrate, under the imported direction of Wayne Carson, how good they can be at acting funny.

Elaine May is really the one to thank. She wrote "Adaptation" and directed the New York production, with Carson as her associate director.

It is a witty rendering of the contemporary rat race, the life of an everyman through birth, growing up, assimilating all the middle-class values, marrying, breeding, pursuing security for his loved ones, and dying, all compacted into a TV game show.

Each stage of the game provides the four performers with an opportunity to deliver stereotypical dialogue satirizing the classic relationships of society-child-parent, student-teacher, boy-girl, man-wife, employee-boss.

If you remember the dialogues of Nichols and May, you won't be surprised to find Miss May's play definitively hoisting this society with its own petard, the glossary of affected jargon that substitutes for thought with most of us, and that Miss May hears and reproduces better than anybody else in the business. It is caricature that really captures its subject.

Michael Cavanaugh, Michael Learned, Ken Ruta and Philip Kerr play all the parts, and there is hardly a misstep among them. No ACT cast has looked this good since "Tartuffe" three years ago.

### "Next"

"Next," the other half of this double bill, is the work of Terrence McNally, a young author with a talent for funny dialogue but also with, I guess, a wandering concentration.

A 42-year-old 4-F is mistakenly called for a pre-induction physical examination. He argues with the cold-blooded female sergeant to no avail. Steamrollered by bureaucracy, he winds up stripped, humiliated, and examined. Again the director is Wayne Carson, and again we enjoy comedy played with crispness and pleasure instead of lugubrious hard work. Ray Reinhardt and Lois Foraker are just right.

The flaw in "Next" is the inconsistency of the victim's character. One minute he is sharp enough to put the sergeant on, with a kidding line about the Church of the Sacred Heart being a mosque. The next, he is so stupid that he thinks the movie of "Les Miserables" preceded the book.

It suggests that McNally wrote the play in four or five sessions at the typewriter, and that each session found him in a different mood, with a different idea about the character. And when the comedy turns to

Rolfe Peterson

Reviews

Theatre



drama at the end, with Reinhardt ripping off a long soliloquy about himself and the petty tragedy and frustration of his life, it's hard to tell whether he's speaking for the Silent Majority, crying out against dehumanization in the 20th Century, saying something Freudian about a motherless childhood, or giving us a short course in Kafka. It doesn't quite come together.

But accept its few weak moments and enjoy the general charm and humor of "Next." It makes a good balance with "Adaptation," and together they comprise an evening of pleasure in the theatre that is long overdue. Go to the Marines Memorial as soon as possible.

### "The Tempest"

Prior to this "extended season" offering, the ACT wound up its official season with two worthy productions. William Ball's staging of "The Tempest" was elaborate to the point of being campy, but Shakespeare is Shakespeare, even when influenced by Busby Berkeley, and I was glad to see it.

Ken Ruta, who is so effective under the restraints of Wayne Carson, gave Prospero's lines a good deal more ranting and pounding than they require, and the low comedy, especially that of Paul Shenar's Caliban, was not only tedious, as Shakespeare's low comedy often is, but actually became so offensive that one wanted to shoot the actors to put them out of their misery.

"The Tavern" was ACT's curiosity of the season and, until "Adaptation/Next" came along, its only evening of thoroughly pleasant entertainment. George M. Cohan wrote and acted it as a comedy-suspense drama, but Ellis Rabb broadens the comedy and turns the suspense and drama into gentle burlesque, with charming results.

All the ACT actors were good, particularly Peter Donat and William Paterson, but the evening belonged to Ed Flanders, who was imported by Rabb to play the vagabond hero with the gift of gab. It was one of

those rare performances in which the actor and the audience share equally in the enjoyment of his mastery of the role.

For the record, the ACT also mounted a ponderous production of "The Rose Tattoo," and, except for winning performances by Tom V. V. Tamm as the sailor and Carol Mayo Jenkins and Lois Foraker as a couple of chippies, it was a disaster.

### "Zorba"

"Zorba" was the Civic Light Opera's summer item, and it serves the purpose--some good music and dance, John Raitt miscast but professional, Chita Rivera intensely and excitingly doing her thing, or some of it. The libretto is a drag, asking the question, "Can a really good musical comedy be made of three deaths?" The answer is no.

The Stanford Summer Festival retrenched this year and became a less ambitious "Summer at Stanford," but among its fewer offerings there shone at least one gem of the highest quality.

The late Noah Greenberg and his New York Pro Musica company devoted themselves for years to the off-beat cause of finding, restoring and staging Church plays of the 12th Century.

I went to the Stanford Memorial Chapel to see "The Play of Daniel" out of a theatre-goer's scholarly interest in examining the obsolete prototype of what we know as Theatre. What I found was a sort of children's religious pageant, portraying in simple terms Daniel's translation of the handwriting on the wall and his sojourn in the lion's den. But on this framework the Pro Musica hung a rich tapestry of ancient instruments, superb voices, authoritative staging and a general air of authenticity and devotion. Wonderful.

Two nights later, I returned for the Resurrection Play and found the voices still superb but a capella. I missed the charming instruments, and the play itself was a good deal more solemn and dull than "Daniel" had been--more like what usually goes on in chapels. But still worth while, I hasten to add.



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## Margo Skinner Reviews Cinema

Getting Straight (Metro)  
The Revolutionary (New Royal)  
Carry it on (Music Hall)  
Myra Breckinridge (Golden Gate)  
Watermelon Man (Metro II, Serra)

The Revolution is in. Hollywood has always tailored "the product" to what it thinks the audience wants. And today's film goers are predominantly young.

Whether they will identify with Elliot Gould as the over-age graduate student hero of "Getting Straight" is another question, though some critics did, including Playboy's.

Gould wants to join the Establishment; he's working frantically for his M.A., despite distractions like Candice Bergen, his bourgeois chick (who looks far too mature and jet-set for a coed), a hyped-up, draft-dodging friend and a bunch of militants (who seem more like delinquent high school kids) proselytizing him to come back to the Cause.

### A happy ending

Several by-now conventional student-fuzz confrontations furnish the action, plus the moment of truth in which Gould

hysterically blows his Master's Oral. The happy ending has him window-smashing with the kids, an enlightened Candy by his side.

Hurrah for our side. But it's all too slick, with caricature characters (reading from Left to Right). The end product is still simplistic: The good guys and the bad guys are different, but no more real.

"The Revolutionary" seems more serious in intent: to explore what makes a left-wing bomber. Jon Voight plays the awkward, earnest philosophy student who begins as a liberal and ends as a terrorist, but with such unfortunate mumbling and tumbling of speech that his motives and ideas are never clear.

Other characters all talk at the same time; result, 50% lost dialogue. Voight's fellow-students look about 35 and unhip, and the leader of a factory Communist cell wears a beret(!)

You are never quite sure of the locale. The actors are American, but the brick-walled slum settings seem clearly English. Voight has no name; he's simply "A." All this adds up to a curious, almost Kafkaesque never-never-land.

The pace of "The Revolutionary" crawls, and the frozen frame ending, the hero clutching his big paper bag full of bomb as he confronts a reactionary judge, is a resounding anti-climax.

What is the Revolution anyway? For Joan Baez and her activist husband David Harris, now serving a three-year sentence for refusing army induction, it is "the one change man has never made in history," based on "the recognition that human life is sacred."

"Carry It On," world-premiering in San Francisco, is forthright and exciting cinema verité about this courageous young couple: their convictions, their activities, their love and Miss Baez's music. The film has

moments of sharp satire (Joan in the Cloud Cuckoo Land of television), warm fun (the singer mucking about in her kitchen in dubious domesticity) and bitter-sweet sadness (her reading of Dave's beautiful letter from prison).

But mainly it is a study of courage and dedication. When pregnant Joan says, "They can't cage my baby in," she means not only the child growing within her, but David in prison, and perhaps Mankind as well.

"Watermelon Man" is the first Hollywood film of black director Melvin Van Peebles (who once worked on S.F. cable cars). It also transcends comedy. Situation: a boisterous, racist white square suddenly turns black, and then painfully grows up to become a human being. In the leading role Godfrey Cambridge, one of the funniest men alive, also proves himself a first-rate dramatic actor. Though some of the gags are overworked (Cambridge frantically trying to wash off his dark skin, for example), Van Peebles' hilarious and compassionate "uppity movie" tells truths about black-white relations that Hollywood has hitherto dodged.

### Myra

The ultimate low in current films is "Myra Breckinridge." Self-consciously dirty, it is--worse--sadistic, slow and miserably acted. Raquel Welch plays Myra with as much life as a Dragon Lady Barbie Doll. John Huston, who ought to know better, hams somnambulistically as the aging Western star, Buck Loner, and critic Rex Reed adds nothing as Myron Breckinridge.

Director Michael Same uses the same type of lush interiors as in "Joanna," his first flop, and intercuts bits from old movies (which are a hell of a lot more interesting than the current film) for high camp.

But the funniest thing in "Myra Breckinridge" is a Laurel-Hardy sequence involving a watch and a glass of water.

The next funniest is Mae West, who is immortal. Raquel Welch's uneasy riding, in red-white-and-blue costume, really sickened me. I never want to see her again in a film.

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## "Banned by the Press Club"

—Continued from page 24

whose winners would soon be announced at a Sept. 27 banquet?

"Don't you like the way the club is run?" asked Leavitt. "I don't like the way the club booted me out of its contest," Brugmann replied. Leavitt hung up. Brugmann called back immediately, but Leavitt hung up again on his city hall assessor's office phone.

Eppinger, when contacted, asked Brugmann if he knew McDonnell. "You've got the wrong guy," he said. "Larry McDonnell is truly a gentleman." Brugmann tried to press questions on McDonnell and the directors' meeting, but Eppinger hung up.

Brugmann wrote another protest on Aug. 7, reiterated his earlier requests and asked the directors to act on it before the Aug. 15 entry deadline. He sent copies to each director.

"You have blackballed me and my newspaper from your Pulitzer awards contest," Brugmann wrote. "You have done so secretly, without a decent hearing, without notification of any kind, on the basis of PG&E's aversion to The Guardian's news and editorial policies (which is abhorrent in a contest with the name Pulitzer and in a club with the word press), on the bald excuse I do not publish my newspaper frequently enough (a club commentary on my desperately poor financial condition, which didn't bother you the past three years, and the fact I cannot break the Ex/Chron monopoly joint advertising rate that swallows up most of the newspaper advertising revenue in SF, which is what my federal suit is all about.)"

"Good God: Do you guys spend your whole lives behind the big black cat (Ed: which means you won't be quoted)? Are you really in the business of censoring copy, banning newspapers and bringing the contest/club quietly into line with the PG&E Progress. Will one of you be reading my PG&E meter next week?" By now the story was out and on Newsroom, KPFA and Jim Eason's KGO talk show. The LA Times Phil Hager was working up a story.

Directors received several protests from working newspapermen, including Joseph Houghteling, an owner of three suburban weeklies, and Fred Garretson, The Oakland Tribune's conservation writer, last year's first place Pulitzer winner and a Nieman fellow this fall at Harvard University.

Two directors, Dum and Speegle, called Brugmann to offer informal support and sympathy and a third, Meyers, told Brugmann earlier he felt badly about the whole business. Still, at press-time, Brugmann had heard nothing formally from the directors on his protests.

Summed up Dum: "I think this is a public relations error. I think it's surprising that a club with so much public relations talent should make such a public relations blunder."

• • •

Postscript: Our press club is in another world: it discriminates against women, has few minority members, at last count had only 100 working newsmen out of 400 or so "actives" and a total club membership of 2,500. Isn't it time for somebody else, say the Journalism School at Berkeley or Stanford, to sponsor a real contest for working newsmen with qualified and independent judges?

Then, the club members could go back to their high stake poker games and gang dinners honoring Helen Hayes and Rudy Vallee.

## CODES

—Continued from page 11  
meaningless to her." (See chart for breakdown of code.)

Again, Safeway bread--Airway, Ovenfresh and Skylark--is often sold as fresh after the pull date. For instance, in the Safeway on Ocean Ave. on Friday July 24, blue twister sesame rolls (fresh the previous Saturday) were selling as fresh. According to a Safeway rotation chart, they should have been sold at reduced prices on Tuesday--about three days after they were fresh.

Mayfair and Lucky use more complex codes (see chart). On request, executives and store clerks will explain them to consumers. But they offer little justification for the continued use of codes.

"There isn't much of a rationale," said James Stell, Lucky vice president in charge of administration and finance. "A lot of this is a mechanical problem. Our older machines can only print letters and numbers, not clear dates." He said Lucky may try to switch to less deceptive kinds of dating.

But like Mayfair and Safeway, Lucky management has qualms about the open-dating legislation. "No one argues with the

need for a meaningful code," says Stell. "But I'm not sure a pull date should be uniformly applied."

Oddly, most delicatessen merchandisers are enthusiastic about open pull date legislation. But then most of them have been subscribing to the American Meat Institute's voluntary system of coding (see chart) for some years. Said the distributor for Oscar Mayer, "More and more government agencies are trying to educate the consumer --and they should. You don't want a pack date--you want a pull date on a package. A quality insurance day. It's a real commitment of freshness."

Even as this goes to press, the coding game goes on. George Schaefer, the purchasing agent for Orowheat Bakeries, called the other day to ask whether the Guardian was printing Orowheat's bread code. I told him we were.

He was distressed. "We can't let our competition know the code," he said. "If you've got it and are going to publish it, we're going to change it, even if it is the first time we've changed it in 18 years."



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# PG&E

—Continued from page 15

lector. It has only one source for the taxes it claims to pay—its customers, which include every electricity user in San Francisco.

The company adjusts the rates it charges the public to offset the taxes it "pays" the public. Result: the public pays PG&E's taxes in its utility bill.

E: (Revenues from a public electric distribution system) "can't be used for (another) utility (e.g., to subsidize the Muni, as the Guardian has suggested) without a charter amendment."

G: Any undertaking as important as buying out the local electric system will inevitably require some legislation to facilitate both acquisition and the subsequent management of the system by the city. To imply that the possible need for charter amendments is some sort of impediment to acquisition is specious—especially when the city, for two years, has had a charter revision committee engaged in revamping the entire city charter.

Whatever is required—approval of acquisition, bonding, charter amendments, ordinances—could be presented to the voters as a package.

E: "The total amount of general obligation bonds sold cannot exceed 12 per cent of the assessed value of taxable property (under the city charter)... Either the limit must be extended, which is unlikely, or Hetch Hetchy be exempted (from the charter limitation)."

G: Nowhere do the two Examiner articles (56 column inches) mention revenue bonds, which do not have this limitation and are being used increasingly by many public agencies.

The critical questions: Why mention only general obligation bonds—the kind that raise the tax rate? Why ignore revenue bonds, which would permit the city to pay for the electrical system out of the money it earns from it, without raising taxes?

Why fail to tell the public that PG&E itself finances its own expansions with what are essentially revenue bonds that the public pays off through its utility bills? Couldn't the city pay for its own electric system in exactly the same way?

E: "...the city, if it put up its own distribution system, would not have enough power from Hetch Hetchy to supply San Francisco consumers. So, it would have to buy electric power from another source. Pacific Gas and Electric."

G: It is probably true the city at times, would have to obtain outside power to supplement Hetch Hetchy. It is also beside the point. Because of federal power policy, virtually every electric utility on the west coast of North America is interconnected with every other

electric utility. Power is constantly being sold, exchanged, loaned or borrowed between these utilities.

To imply that San Francisco could not successfully retail its own electricity to its own people because it could not, with its own Hetch Hetchy power alone, supply all their power needs is to argue that a dairy can't survive unless it owns all the cows that supply it with milk. Or that a newspaper can't succeed unless it owns forests and paper mills.

Has the Examiner never heard of wholesale purchase for resale? It is a common business practice.

E: "Hetch Hetchy Project manager Oral Moore estimated PG&E's local facilities could be worth about \$500 million."

G: Alexander quoted Moore secondhand from the PUC counsel. He should have checked with Moore directly. We did and learned Moore did once cite that figure as an off-hand estimate, but he now believes after further study the figure would most likely be between \$200 and \$300 million for the distribution system and for PG&E's local Potrero thermal generating plant.

City ownership of the local steam plant would supplement Hetch Hetchy power, making dependence on PG&E for supplementary power unnecessary.

It is not surprising for PG&E McDonnell/Alexander/Ex to grossly over-estimate the worth of the private utility's local properties to discourage acquisition. That's the same old story.

Some factors should be kept in mind: 1) PG&E's electrical system in San Francisco was essentially completed several years ago. The city's population has been fairly stable for decades. PG&E has taken nearly full depreciation on large parts of its local system. It could not now sell it at original value.

2) Only a small proportion of PG&E's total electrical plant is now in San Francisco (13% of its customers, 2% of its distribution lines, 5% of its thermal generating capacity).

The total depreciated value of PG&E's system-wide distribution and steam generation facilities is \$2 billion, according to PG&E's own exhibits, on file with the State PUC in its current rate increase application. Based on the above percentages, it is generous to estimate that 10% of the value of those properties is in San Francisco.

This comes to \$200 million.

E: "...condemnation proceedings through eminent domain... could take years in the courts."

G: PG&E is proving it will fight tooth and claw to preserve the most lucrative segment of

its system. But the city will ultimately win if it resolves now to pay heed to its own interests, its own charter and federal law.

Conclusion: Had Alexander gone beyond McDonnell/PG&E in his research, he might have turned up some additional arguments, such as the 1925 Examiner editorial commenting on PG&E's early Hetch Hetchy grab:

"It is a wrongful and shameful policy for a grant of water and power privilege in the Yosemite National Park Area to be developed at the expenditure of \$50 million by the taxpayers of San Francisco, only to have its greatest financial and economic asset, the hydroelectric power, diverted to private corporation hands (PG&E) at the instant of completion; to the great benefit of said corporation, and at an annual deficit to the city of San Francisco."

Or this 1930 Examiner editorial:

"To do all this (build Hetch Hetchy) and then fail to distribute the power which is produced by the city would be the rankest sort of business folly."

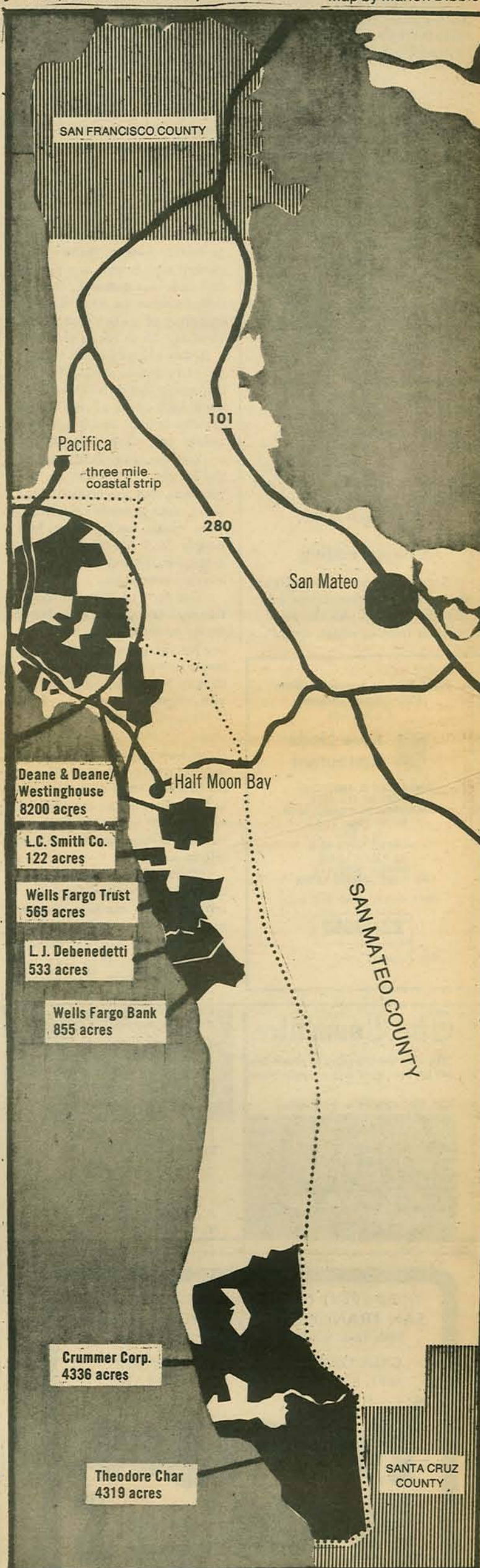
It still is.

## The Developers Cometh

Land developers and speculators now own 1/3 of San Mateo County's central and southern coastline, as shown above with the names of owners and the amount of acreage owned in a 3 by 30 mile strip. Smaller parcels are not shown. Freeways connecting coastside developers to San Francisco and bayside industry should be completed by the early 1980's.

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Map by Marion Dibble



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# KRON

## A Study in Monopoly Journalism

—Continued from page 19

cumstances, any increases would almost certainly open us up to monopoly and extortion charges, unjustified as they might be."

By September, 1966, the circulation had not "improved substantially." It had declined. But the ad rates were raised anyway.

Also blacked out was an exchange between Smith and Thieriot concerning rates for classified ads in the combined papers --their so-called "Want Ad Supermarket." Smith wrote the publishers in 1966 that the rates had been raised so high they had "priced a large portion of the personal business out of the market." He added: "We do not consider this a healthy situation and are currently considering changes in our classified rate structure for recommendation to the principals."

Thieriot testified, however, that he had rejected Smith's proposals for lower want-ad rates. As a result, a large portion of the public remains "priced...out of the market" for classified ads in San Francisco's only daily newspapers.

In sum, the hearing coverage was characterized by suppression, bias, obfuscation and just plain bad reporting. Of particular note: the Examiner and Chronicle both pitched in to slant and suppress the story to protect the interests of the Chronicle's owners.

But this editorial cooperation between two "independent and competing" papers should not have been surprising. The Chronicle-Examiner combination was planned that way. This was made clear by another significant hearing document that neither Raudebaugh nor Ludlow reported: a letter from Wells Smith, then a top Hearst executive in San Francisco, to G.O. Markuson, executive vice-president of Hearst newspapers in New York, written in September, 1964, a month before the merger agreement was signed. Wrote Smith about the forth-

coming pact: "We should not be competitive with respect to news content in the future. What would be the advantage except for prestige? We certainly do not want one paper to over-balance and out-run the other, since both sides are to share fifty-fifty in the operating results of all three publications."

The hearing coverage shows the success of Smith's plan. The Chronicle and Examiner do not compete with respect to news content. They have got what they wanted from their monopoly pact: the rich, quiet life of a journalistic leisure world.

### Stanford correction

In its June 11, 1970 edition, the Guardian printed a map of a portion of the Stanford University Campus on which certain buildings had been marked and numbered by the Guardian and a copyright statement made by The San Francisco Bay Guardian Co., Inc.

This is to acknowledge that the map was furnished as a courtesy by the Stanford University News Service and is a portion of a map which is copyrighted by The Board of Trustees of The Leland Stanford Junior University.

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# ON GUARD

## 'Banned by the SF Press Club'

The Guardian has regularly entered the annual "Pulitzer of the West" newspaper awards competition of the San Francisco Press Club and, the past three years, has won four of the nine awards available in the one non-daily category open to us.

Last year, Blair Paltridge's expose of the San Francisco grand jury won the \$250 first place prize. Larry McDonnell, PG&E's top public relations man, chairman of the club's awards committee and the man who made the awards presentations, announced The Guardian prize at the awards banquet. The Guardian story "purported to show," as McDonnell put it from the dais, that the city's grand juries were unrepresentative.

This year, The Guardian had been tipped off that, despite the fact we won the contest last year, an attempt would be made to exclude our newspaper from this year's competition. We called the club several times through June and early July to ask when the entry blanks would be sent to us. (The past three years, we got them in normal course in the mail.) In early July, the club secretary told us McDonnell and his awards committee were sending them out that Thursday.

We never got them. The secretary told Bruce Brugmann, Guardian publisher, the committee had decided the category this year would be open to "weeklies only." The Guardian (a monthly) was out. Brugmann pressed her for details and an explanation, but she said the entry forms were being mailed out this year by PG&E and she didn't have much information. She referred Brugmann to McDonnell at PG&E.

Brugmann called McDonnell at PG&E. Yes, he said, The Guardian was out this year, but it was not the intent of his committee to exclude the Guardian. Instead, it was to initiate a category for weeklies only, to encourage them to enter and to get back to the original spirit of the press club contest.

How do you encourage weeklies by excluding the Guardian? How do you justify banning last year's winner? Why is the only non-weekly to submit entries the past three years suddenly picked out, without explanation, without the courtesy of notification, and made the only newspaper ever blackballed in the history of the competition? Isn't this censorship to exclude The Guardian, one of the few Bay Area newspapers devoted to investigative reporting and solid journalistic crusades in the Pulitzer tradition?

Brugmann pressed these obvious questions, but McDonnell refused to give any details beyond his "we want to encourage the weeklies" stand. He became incensed when Brugmann asked if The Guardian blackball had anything to do with The Guardian's two year campaign against PG&E and its illegal power monopoly in San Francisco that keeps cheap public power out of San Francisco in defiance of federal law, the U.S. Supreme Court and the city charter. (See "PG&E's Big Blackball," p 15.)

McDonnell said his committee's decision had not been aimed at The Guardian and that The Guardian had not come up in the discussion. He denied vehemently that he or PG&E had anything to do with The Guardian blackball and he threatened to hang up when Brugmann asked if it had anything to do with our PG&E campaign.

He refused to say how the ban originated, who originated it, or even who brought it before the committee in its first and only meeting on June 10. He even refused, until Brugmann pressed hard, to identify the other members of his committee.

The group that banned The Guardian, McDonnell finally disclosed, was made up almost exclusively of advertising and public relations men--most of them representing companies The Guardian had criticized in its reportage. The committee: Chairman: McDonnell (PG&E), Robert Rezak (PT&T), Carl Albracht (Westinghouse), Paul Cane (Bechtel), Gordon Grannis (Crown Zellerbach), J. Campbell Watson (Editor & Publisher), Carl Spencer (General Electric), Charles St. Peter (Frank Albert-Guenther Law Adv. Agency), Robert Richelson (Carl Byoir Adv. Agency).

Brugmann polled the committee by phone and found, contrary to McDonnell's explanation, that several committee members recall that: (1) PG&E's McDonnell brought up the rules change that axed The Guardian; (2) No other newspaper was mentioned by anyone; (3) The Guardian was mentioned several times during the session by name, (4) The Guardian was mentioned, as CZ's Grannis put it, "as not being a weekly newspaper" and therefore not qualifying for this year's contest.

Brugmann brought up these points to each committee member and nobody rebutted them. If the member didn't agree with these recollections of his committee colleagues, he said he couldn't remember or he simply

refused to answer questions (Watson, Richelson) or he hung up (Cane, Albracht, Richelson). Rezak was quite specific. "He (McDonnell) threw it (the rules change) out on the table."

Did you realize, Brugmann asked, that The Guardian was being purposely excluded by McDonnell's proposal? Rezak: "You didn't have to hit me with a bat." He added: "If they wanted to change the rules they could have heard from your paper."

Rezak said that, as a PT&T man, he read The Guardian regularly and that he, too, didn't like some of the stories and editorials, particularly those critical of PT&T. But "this wasn't the time or the place" to do something about them, he said.

Brugmann appealed in writing to the club's 15-man board of directors under guidelines set down by Dick Alexander, Examiner reporter, club first vice-president and chairman of the July 27 meeting that heard Brugmann's protest. (See p. 15 for details on Alexander's Examiner series that appeared three days later on July 30-31 and put forth, without qualification or deviation, the PG&E/McDonnell line on The Guardian-initiated proposal for the city to buy out PG&E.)

Brugmann asked the directors to either publicly announce and explain The Guardian's blackball or reopen the competition. The 1970 Pulitzer contest, Brugmann wrote, was "not the time or the place to begin censoring copy, banning newspapers or bringing the contest quietly into line with the PG&E Progress or, for that matter, a committee representing Westinghouse/GE/PG&E/PT&T/Crown Zellerbach/Bechtel or clients of local ad agencies/pr firms."

Brugmann wasn't notified about any action of the directors, so a few days later, he called Ray Leavitt, director, secretary of the meeting and SF's chief deputy city assessor. No, Leavitt told him, the directors hadn't acted on his protest, but they would vote on it at the Sept. 14 meeting. Don't call us, we'll call you, he told Brugmann genially.

Directors at the meeting: McCarty, Leavitt, McDonnell, Alexander, Joshua Eppinger (old Examiner city editor, now associate managing editor), Graham Kislingbury (of Kislingbury Adv. Agency), Robert Meyers (former SF bureau chief of AP, now with Whitaker & Baxter public relations firm), George Shimmom (commercial photographer), Harry Ross.

Directors not at the meeting: Larry Dum (Examiner reporter), Stanton Delaplane (Chronicle columnist on assignment in Mexico), Paul Speegle (symphony public relations director), Ed McLaughlin (KGO radio), Don McLaughlin (PT&T public relations).

Leavitt's story sounded familiar to Brugmann so he polled some club directors as he had with McDonnell's awards committee. He found, contrary to Leavitt's account, that the members had listened politely and attentively to McDonnell's explanation, and decided without dissent to reject Brugmann's complaint (the Aug. 15 entry deadline was only a couple of weeks away, one argued) and not to notify Brugmann about their decision.

More: not a word about Brugmann's protest or the directors' decision to reject it appeared in Leavitt's minutes of the meeting.

Brugmann called Leavitt back. Why, Brugmann asked, did his account differ so sharply from those of his colleagues? How would Leavitt's Sept. 14 vote have any bearing on a contest that ended Aug 15 and whose

-Continued on page 21

## Folks, your 1970 Pulitzer judges

Below is the 1970 panel of 48 judges, about one for every two entries, invited by McDonnell's committee. Asterisks indicate those who have accepted by press-time.

**PUBLIC RELATIONS AND ADVERTISING:** \*T.R. (Bob) Letts (Public relations, PG&E); Emmett Fitzpatrick (Public relations, PG&E, ret.); \*Jack Angius (Public relations, PT&T); \*Newton E. Wise (New manager, PT&T); \*George Foster (Public relations, PT&T, ret.).

\*Carl Albracht (Pacific Coast Mgr., public relations, Westinghouse); \*Andrew Anderson (Asst. general public relations mgr., Southern Pacific Co.); \*Guy Carruthers (News bureau, Standard Oil Co.); \*John J. Cashel, Jr. (Mgr. Aluminum Div. public relations, Kaiser Aluminum & Chemical Corp.).

\*James S. Cohune (Public relations mgr., Foremost Foods); \*John Krizek (Public relations mgr., Transamerica Corp.); \*Donald F. Martin (Dir. of public relations, C&H Sugar Co.); \*Earl Spencer (Western mgr., public relations, General Electric Co.).

Gil Sweet (Regional mgr., public relations, Atchison, Topeka & Santa Fe Railway); \*Donald K. White (Vice President, mgr. of advertising & public relations, Crocker Citizens National Bank); Don E. DeLone (Trade promotion mgr., SF Port Authority); Berton J. Ballard (Editor of State Bar Journal & dir. of public relations for the State Bar); \*Julius L. Jacobs (Public relations, Wine Institute).

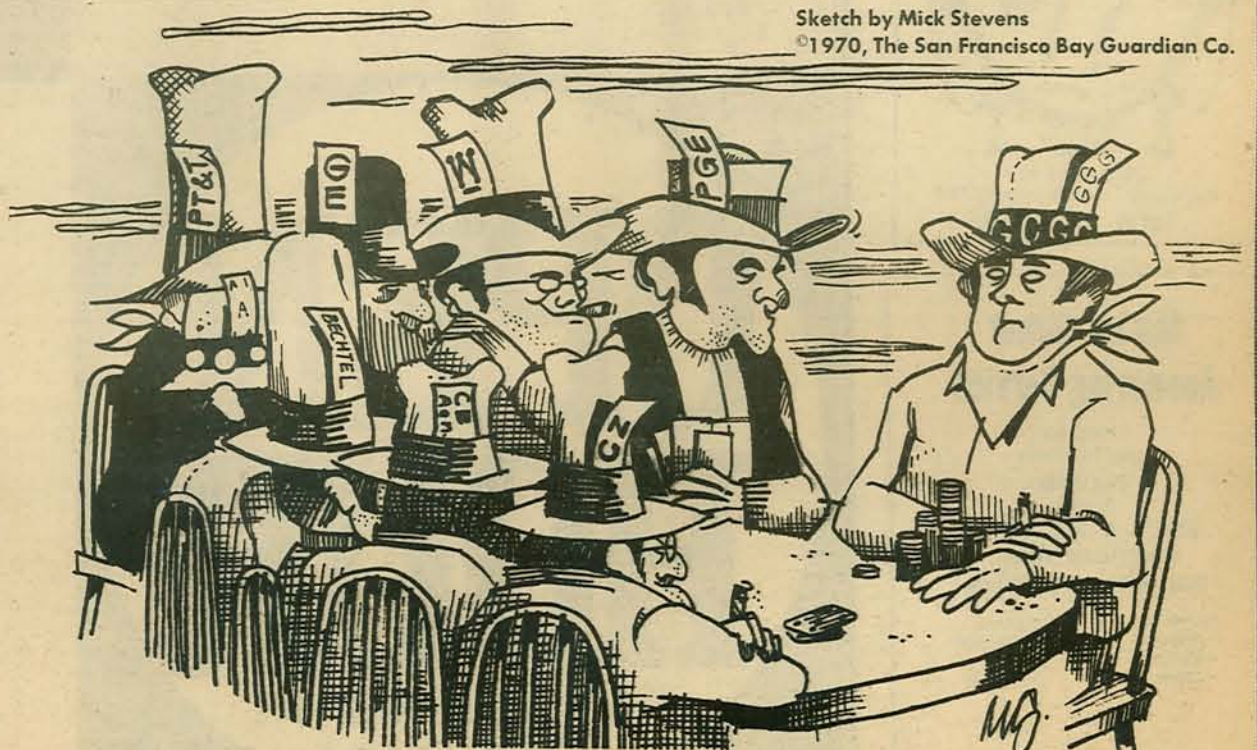
\*Gray Creveling (Formerly with D'Arcy Advertising Agency); \*William L. Losh (Lee & Losh Public Relations); \*Sid Mackin (Sidney Mackin & Assoc., public relations, Oakland); \*Grant Robbins (Grant Robbins & Assoc., public relations); Charles St. Peter (Albert Frank-Guenther Law Inc., public relations, advertising); Alexander N. Streloff (Streloff Assoc., financial public relations); \*Pearce Davies (Head, Praxis public relations, Los Gatos); \*Lorry Lokey (Business Wire, business and p.r. wire service); \*Richard Hayes (formerly in Advertising dept. of ISI Travel Tours).

**JOURNALISM PROFESSORS:** \*Dr. Chilton Bush (Journalism, Stanford University); \*Walter Gieber (Journalism, SF State College); Herbert Jacobs (Journalism, UC Berkeley); \*George Mullany (Journalism, City College of SF, ret.); \*Albert G. Pickerell (Journalism, UC Berkeley).

\*Kenneth Stewart (Journalism, UC Berkeley); Cliff Weigle (Dept. of Communication & Journalism, Stanford); \*Jerrold Werthimer (Journalism, SF State); Thor Smith (Journalism, Mills College); \*Harry Press (News & Publications, Stanford).

**RETIRED JOURNALISTS:** James J. Rieden (Retired newspaperman); \*Phil Sinnott (Retired newspaperman); \*Walter G. Swanson (Retired newspaperman); Neill Toohy (Retired newspaperman); \*Gene Block (Retired editor of Jewish World).

**OTHER:** Hadley Roff (Confidential secretary to Mayor Alioto, on leave to work with Tunney's senate campaign); \*Ray Leavitt (Deputy Chief City Assessor, SF); \*Ken Arnold (Official photographer, Press Club); Ron Wagoner (Press Club); \*Robert W. Skelton (Photographer); \*Ben Martin, (Sacramento rep., California Newspaper Publishers Assoc.).



Sketch by Mick Stevens  
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We thought we'd change the rules. We're dealing you out this time...